

Town Clerk
During



JOURNAL

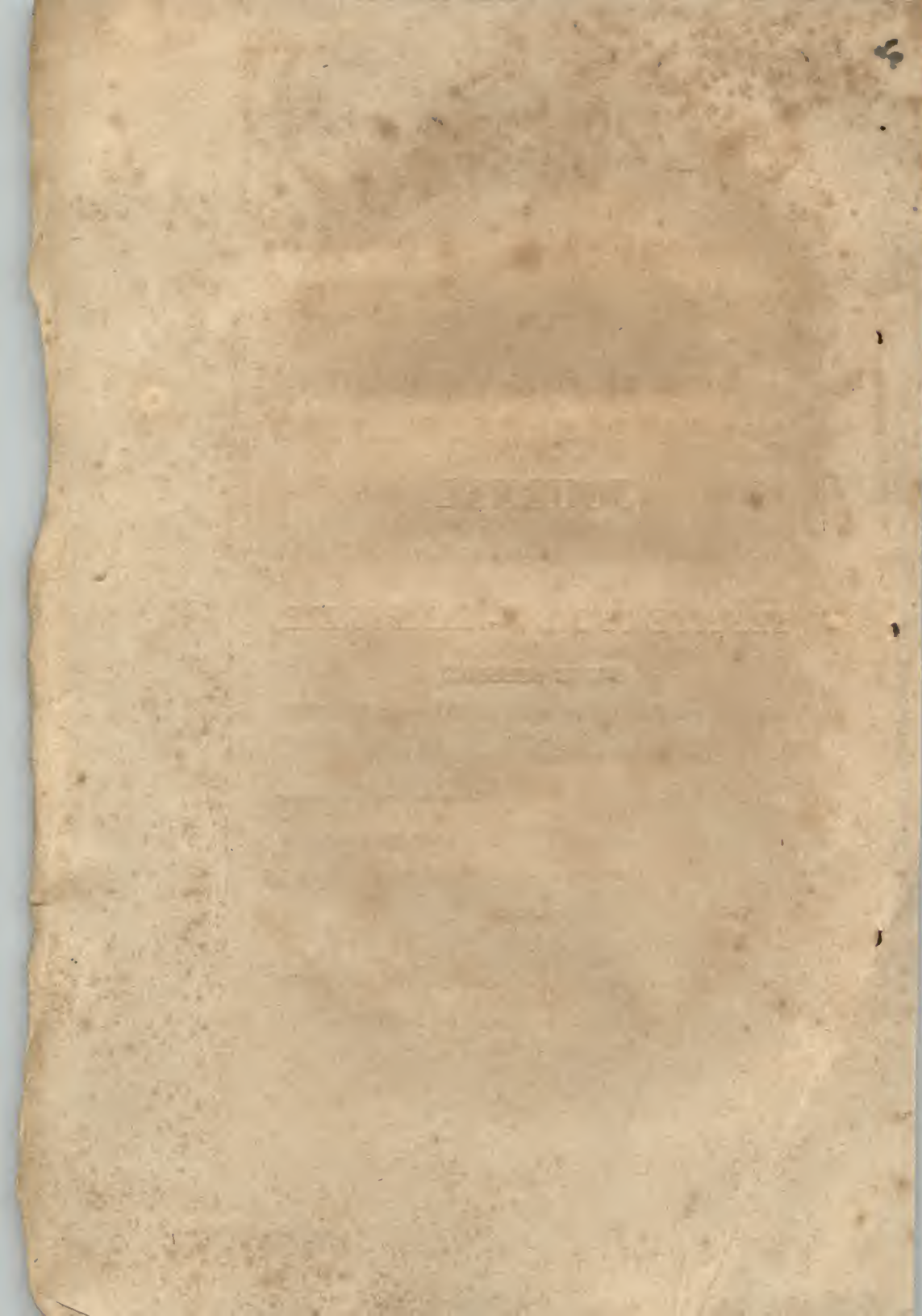
OF THE

SENATE OF NEW-HAMPSHIRE,

JUNE SESSION,

1822.





JOURNAL
OF THE
SENATE

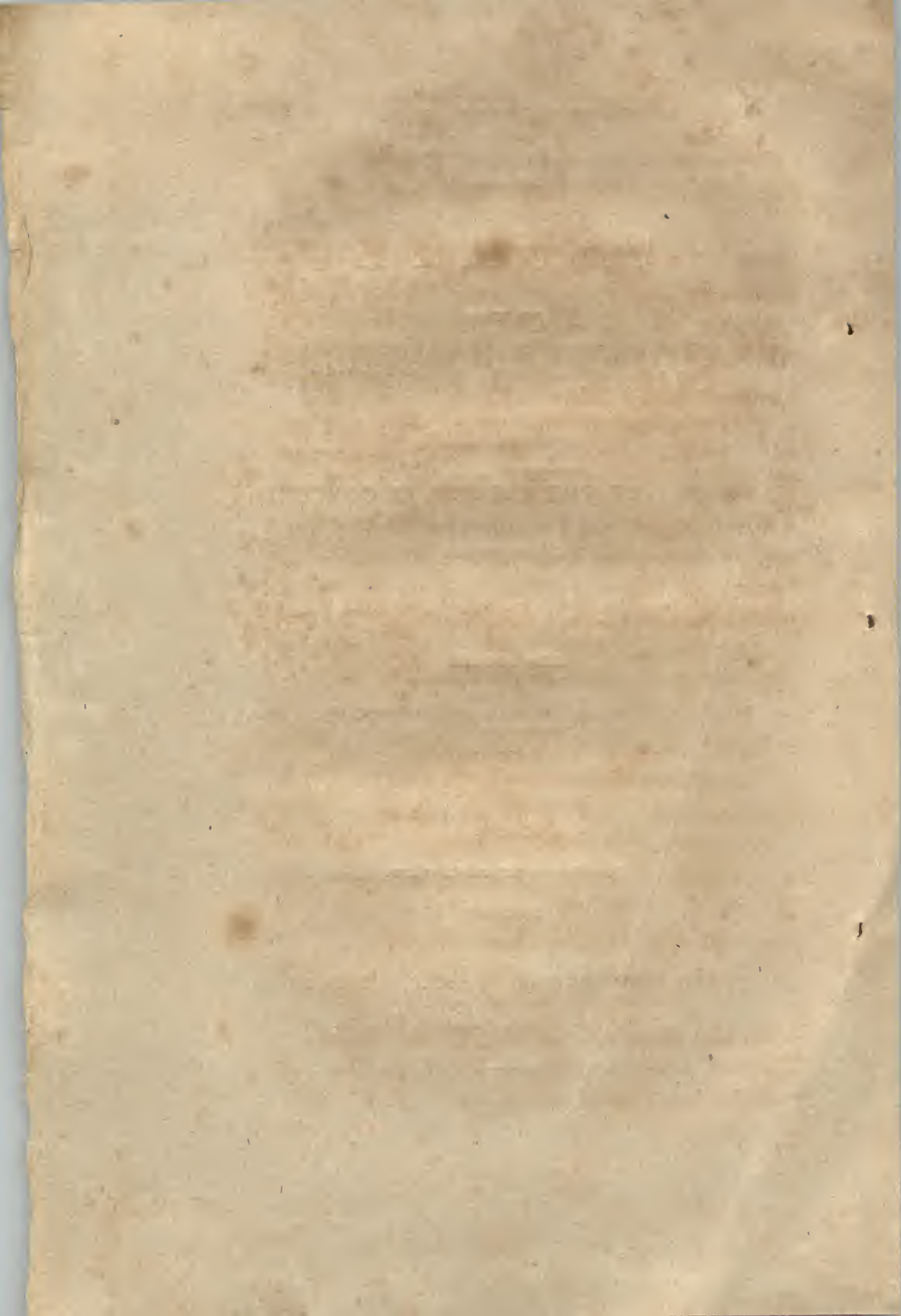
OF THE
State of New-Hampshire,
AT THEIR SESSION,
HOLDEN AT THE CAPITOL IN CONCORD:
COMMENCING
ON THE FIRST WEDNESDAY OF JUNE,
AND ENDING
ON THE FOURTH DAY OF JULY, ANNO DOMINI ONE THOU-
SAND EIGHT HUNDRED AND TWENTY-TWO.

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1822.



JOURNAL
OF THE
SENATE OF NEW-HAMPSHIRE,
AT THEIR SESSION, HOLDEN AT THE CAPITOL IN CON-
CORD, WEDNESDAY, JUNE 5, 1822.

THIS being the day prescribed by the Constitu-
tion, for the General Court of New-Hampshire to
convene, the following Members of the Honorable
Senate, appeared and took their seats.

From District No. 1. Hon. Langley Boardman,

2. John Kimball,
- 3.
4. Isaac Hill,
5. Nehemiah Eastman,
6. Daniel Hoit,
7. John Wallace, jun.
8. Jonathan Harvey,
9. Jotham Lord, jun.
10. James H. Bingham,
11. Ziba Huntington,
12. Arthur Livermore.

Mr. Hill moved to proceed to the choice of
Chairman, when on motion of Mr. Livermore, the
honorable Daniel Hoit was chosen.

On motion of Mr. Lord, proceeded to the choice of a President, and the honorable Jonathan Harvey was elected, and took the chair.

On motion of Mr. Hill, proceeded to the choice of a Clerk, and Philip Carrigain, esquire, was elected.

Proceeded to the choice of an Assistant Clerk, and Richard Bartlett, esquire, was elected.

Philip Carrigain and Richard Bartlett appeared and were sworn to the faithful discharge of their respective offices.

On motion of Mr. Hoit,

Ordered, that a committee be appointed to report a system of rules and regulations for the government of the Senate during the present session, and that the rules of the last session be adopted for that purpose, until others are substituted.

When Messrs. Hoit, Eastman, and Bingham, were appointed.

Ordered, that a message be sent to the House of Representatives by the Assistant Clerk, informing that a quorum of the Senate have convened at the Capitol: that they have elected the honorable Jonathan Harvey, for their President, and Philip Carrigain, esquire, Clerk; and having also re-appointed their other officers, are duly organized and ready to proceed to business.

Which was communicated accordingly.

Adjourned to three o'clock in the afternoon.

Met according to adjournment.

A message was received from the House of Representatives by Mr. Tilton, informing that a quorum of the House had assembled, and were organized agreeably to the Constitution: that they had elected

Charles Woodman, Esq. for their Speaker,

Moses L. Neal, Esq. Clerk, and

Thomas E. Sawyer, Assistant Clerk,

and were ready to proceed in the publick business of the session.

Voted, that Messrs. Hill and Livermore, with such as the House of Representatives may appoint, be a committee to wait on his Excellency the Governor, and inform him that quorums of both branches of the Legislature are assembled, and have elected their constitutional officers, and are ready to proceed to business.

Sent down for concurrence.

A message was received from the House of Representatives, by Mr. Sawyer, the Assistant Clerk, communicating a vote of the House, that Messrs. Smith, of Peterborough, Plumer, Melville, Gale of Danbury, and Page, with such as the Senate may join, be a committee to nominate and report a suitable person to officiate as Chaplain to the Legislature the present session, which was read and concurred; and Mr. Huntington joined on the part of the Senate.

The following vote of the House of Representa-

tives was communicated by Mr. Sawyer, the Assistant Clerk.

Voted, that Messrs. Wentworth, Aiken of Chester, Colby of Hopkinton, Quimby of Springfield, Ambrose, Cogswell, Jackson, Wilder, Stevens and Cobb, with such as the Senate may join, be a committee to report the order of procedure, to be observed in the public performances of to-morrow, which was on motion concurred, and Messrs. Hoit, and Lord, joined on the part of the Senate.

Mr. Hill for the committee of both Houses, appointed to wait on his Excellency the Governor, and inform him that quorums of both branches of the Legislature had assembled, and were duly organized, &c. &c. reported that the committee had attended to that duty.

A message was received from the House of Representatives by Mr. Neally, informing that the House were ready to meet the Senate in Convention to proceed in the elections, agreeably to the Constitution.

On motion of Mr. Lord,

Voted, to meet the House in Convention.

The Senate and House being met in Convention in the Representatives' Chamber, the Secretary came in and read the record of the examination of votes returned for Senators, made by his Excellency the Governor, and the honorable Council, by which it appears that Senators have been elected by the people, in the following Districts, *viz.*

In No. 1.	No. 2.
No.	No. 4.
No. 5.	No. 6.
No. 7.	No. 8.
No. 9.	No. 10.
No. 11.	No. 12.

and that in District No. 3, there is no choice of a Senator by the people :—and that Samuel M. Richardson, and Hezekiah D. Buzzell, are the two highest candidates.

When, on motion of Mr. Wentworth of the House, the Senate proceeded by ballot to fill the vacancy in said District ; and the honorable Hezekiah D. Buzzell was elected.

The Secretary then proceeded to lay before the Convention the returns of votes for Governor, from the several towns and places in this State, and the same having been opened, read, and record thereof made,

On motion of Mr. Boody,

A committee was raised to examine, compare, and cast the same and report thereon to the Convention, and Messrs. Boody, Eastman, Poole, Merrill and Butler, were appointed.

When, on motion of Mr. Eastman, the Convention rose, and the Senate returned to their Chamber.

The following communication was received from his Excellency the Governor by Mr. Sparhawk, the Secretary.

TO THE SENATE.

GENTLEMEN,

Pursuant to a Resolve of the Legislature, at its last session, requesting me to appoint some suitable person to preach the election Sermon, at the present session of the Legislature, I have appointed the Reverend Jonathan French, of North-Hampton, to perform that duty, and have received information that he accepts the appointment.

SAMUEL BELL.

June 5th, 1822.

On motion of Mr. Eastman,

Ordered, that a committee be raised to inform his Excellency the Governor, that in a Convention of the two Houses, agreeably to the Constitution, the honorable Hezekiah D. Buzzell, had been elected a Senator for the District No. 3, and Messrs. Wallace and Boardman, were appointed accordingly.

And on motion of Mr. Hill, the President was requested to notify the honorable Hezekiah D. Buzzell, of his election as aforesaid.

Adjourned.

THURSDAY, JUNE 6, 1822.

Met according to adjournment.

Mr. Wallace, for the committee appointed to wait on his Excellency the Governor, and inform him of the election of the honorable Hezekiah D.

Buzzell, a Senator for District No. 3, reported that the committee had attended to that duty.

A message was received from the House of Representatives, by the Assistant Clerk, communicating the following report of the joint committee, on the order of the public performances of this day.

The committee appointed to report the order of procedure, to be observed in the public performances of this day,

REPORT,

That the procession shall form precisely at eleven o'clock, in front of the Capitol, as follows :

1. Military Escort.
2. Committee of Arrangements.
3. His Excellency the Governor and the honorable Council.
4. Secretary, Treasurer, Adjutant and Commissary Generals.
5. The preacher of the day and the Chaplain of the Legislature.
6. Reverend Clergy of all denominations.
7. Senators and Representatives of the United States.
8. Officers of the United States' Army and Navy, Judges of the Superior Court, and Sheriffs of the Counties.
9. The President of the Senate, the honorable Senate and Clerks.
10. The Speaker of the House of Representatives, and the members, four deep, with their Clerks.

Marshals of the Day.

Messrs. James Poole, Edward B. Neally, Samuel Griffin, Daniel Woodbury, Jeremiah Wilson, Robert Patterson, John Jones and Jonathan Blodgett, jr.

DANIEL HOIT,
for the Committee.

Which report having been read, the vote of the House accepting the same was concurred by the Senate.

A vote of the House of Representatives, that Messrs. Cogswell, Aikin of Chester, and Cochran, with such as the Senate may join, be a committee to give his Excellency the Governor and the honorable Council notice that the procession to attend divine service this day, will be formed on the floor of the State-House, precisely at eleven o'clock, was brought up, read and concurred; and Mr. Eastman joined.

Mr. Eastman reported, that the committee appointed to inform his Excellency the Governor and the honorable Council of the time and place of forming the procession this day, have attended to that duty.

The honorable Hezekiah D. Buzzell, Senator for District No. 3, was introduced by Mr. Sparhawk, the Secretary, and took his seat in the Senate.

Adjourned to 4 o'clock, P. M.

Met according to adjournment.

A message was received from the House of Representatives by their Assistant Clerk, communicating the following report and vote.

The committee from the Senate and House of Representatives to nominate and report a suitable person to officiate as Chaplain to the Legislature the present session, hereby nominate the reverend Thomas Beede, for that service.

ZIBA HUNTINGTON,
for the Committee.

June 6, 1822.

STATE OF NEW-HAMPSHIRE.

In the House of Representatives, June 6, 1822.

The foregoing report having been read was accepted.

Sent up for concurrence.

CHARLES WOODMAN, *Speaker.*

Which report was read and concurred.

A message was received from the House of Representatives by Mr. Whittemore, informing that the House were ready to meet the Senate in Convention, to proceed in the elections, agreeably to the order of the day.

On motion of Mr. Eastman,

Voted, to meet the House forthwith in Convention.

IN CONVENTION.

Mr. Boody, for the committee appointed to re-

ceive, examine and count the votes for Governor, and make report thereon,

Reported as follows :

The committee appointed to examine and compare the entries and cast the number of votes returned for Governor, make the following

REPORT—

That the whole number of votes which the committee deem legally returned is	23,980
Necessary to make a choice,	11,991
Estimated as scattering,	1,046
His Excellency SAMUEL BELL has	22,934

and is duly elected.

The committee have not included in the above estimate the returns from Kensington, New-Market, Andover, Landaff, Bradford, Sharon, Marlow and Piermont, giving His Excellency Samuel Bell 818 votes, and 120 scattering ; it not appearing by the returns that the meetings were legally notified : the returns from Dunstable, and New-Chester, giving His Excellency Samuel Bell 247 votes ; it not appearing that the votes were declared in open town meeting : the return from Somersworth, giving His Excellency Samuel Bell 117 votes, and six scattering, the scattering votes not being designated : the return from Ossipee, giving His Excellency Samuel Bell 165 votes, and George B. Upham, one vote, not being returned within the time prescribed by the Constitution : from the town of Canaan, no return was made.

All which is respectfully submitted.

JOSEPH BOODY,

for the Committee.

Mr. Livermore moved that the foregoing report be recommitted, with instructions so to amend the same, as that all the votes which had been rejected by the committee might be counted:—

Which motion was decided in the negative.

Mr. Livermore then moved the following resolution; that in the opinion of this Convention, the votes of the town of Ossipee ought to be received and counted, notwithstanding they were not returned within the time prescribed by the Constitution, which motion was determined in the negative.

On motion of Mr. Boody,

The report was then accepted.

When the Convention rose with leave to sit again.

IN SENATE.

A vote of the House of Representatives, that Messrs. Neally, of Lee, Bartlett of Salisbury, and Greenough, with such as the Senate may join, be a committee to wait on the reverend Jonathan French, and present him with the thanks of the Legislature for his ingenious and able discourse, delivered this day before His Excellency the Governor, the honorable Council, and both branches of the Legislature, and request of him a copy for the press, was brought up, read and concurred;—

and Mr. Boardman joined.

Adjourned to 9 o'clock, to-morrow morning.

FRIDAY, JUNE 7, 1822.

Met according to adjournment.

On motion of Mr. Hill,

Voted, that the committee appointed to nominate a Chaplain, be directed to notify the reverend Thomas Beede, of his election to that office, and that in case he accept, the same committee notify His Excellency the Governor, and the honorable Council, that prayers will be attended in the Representatives' chamber, precisely at nine o'clock, in the morning of each day, during the session.

Sent down for concurrence.

A vote of the House of Representatives that Messrs. Chamberlain, Ingalls, Bowles, Wilson, Appleton, Lambert, Meserve, Mason, Jenness of Deerfield, and Neally of Northwood, with such as the Senate may join, be a committee to wait on His Excellency Samuel Bell, and inform him of his election as Chief Executive Magistrate of this State for the current year, and that the Legislature will be ready, at such time and place as he may appoint, to receive such communications as he may please to make, was brought up, read and concurred ;—

and Messrs. Hill and Kimball joined.

Mr. Hill, for the same committee reported, that the committee appointed to wait on His Excellency Samuel Bell and inform him of his election to the office of Chief Executive Magistrate of the State of New-Hampshire for the current year, had attended to that duty ;—that His Excellency was pleas-

ed to express his unfeigned acknowledgments for the renewed confidence of his fellow-citizens, and that he will be ready to attend both branches of the Legislature, this forenoon at eleven o'clock.

A vote of the House of Representatives that the committee appointed to give information to His Excellency Samuel Bell, of his election to the office of Chief Magistrate, for the current year, be requested to escort him to the Representatives' chamber, agreeably to his appointment, was brought up, read, and concurred.

The time assigned for the inauguration of the Governor elect, having arrived, the Senate proceeded to the Hall of the House of Representatives, where the two Houses being in convention, His Excellency Samuel Bell, attended by the honorable Council, and escorted by the joint committee appointed for that purpose, came in, and declared his acceptance of the office, to which he had been elected by his fellow-citizens, of Chief Executive Magistrate. He then took and subscribed the oath of office, which was administered by the honorable Jonathan Harvey, President of the Senate; who then proclaimed His Excellency Samuel Bell, esquire, Governor of the State of New-Hampshire for the present political year; and according to long established usage, presented him with a copy of the constitution of the State, as his guide and directory, in the discharge of the duties of his office.

His Excellency then withdrew, and the Senate returned to their chamber.

The following report, which had been made and accepted in the House of Representatives, was brought up by their Assistant Clerk, and concurred. The committee appointed to wait on the reverend Jonathan French, and present him with the thanks of the Legislature for his able and ingenious discourse delivered this day before His Excellency the Governor, the honorable Council, and both branches of the Legislature, and request of him a copy for the press.

REPORT—

That they have attended to that duty, and that the reverend Jonathan French has politely presented them with a copy, which is now at the disposal of the Legislature.

A message was received from His Excellency the Governor by Mr. Sparhawk the Secretary, with the following communication on the publick business of the session.

MESSAGE.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives.

THE time fixed by the constitution to reorganize the government, and concert measures for the security of the rights, and the promotion of the happiness of the people, has again arrived, under circumstances promising the most beneficial effects from the performance of your legislative duties. A

disposition generally prevails to give a candid construction and efficient aid to every public measure directed to these objects. Sober and unimpassioned views of public affairs have induced a respect for the laws, and a cheerful performance of those duties, and submission to those burthens, which a regard to the general interests of society have necessarily imposed.

The influence of those industrious and frugal habits, which circumstances have recently rendered peculiarly necessary, have produced a gradual improvement in the situation and pursuits of the people, equally conducive to individual comfort and general prosperity. This progress, although neither imposing nor brilliant, is yet distinctly marked by that steady and gradual advance, which experience has shewn to be the most safe and salutary to individuals and nations. It is sufficiently evident to encourage our best exertions to afford it further aid, by removing, so far as may be in our power, every obstacle to its more perfect attainment. Employment and industry, which an unprecedented combination of circumstances had diverted from their natural course, are now hastening their return to those channels, to which the character of our population, and our natural and acquired advantages direct them. When time shall have given to these circumstances their full effect, a still higher degree of prosperity may be reasonably expected. Our most important institutions and pursuits, are evidently in a progressive state of improvement;

and although they have not reached that high degree of success, which would satisfy the wishes of the patriot, they have made those advances towards it, which cannot fail to enliven his hopes and invigorate his exertions.

The increasing intelligence and skill, which direct our agricultural pursuits, have obtained for them an encouraging degree of success. Much however remains to be done to ensure that degree of perfection, which should be the object of our wishes and our hopes in an art which is the foundation of all human improvement, and conduces more than all others to human happiness. Its claims to a continuance of public patronage will undoubtedly receive that legislative consideration, which is due to their importance.

The progress of our manufactures yields an additional source of satisfaction. Their direct and indirect subserviency to the interests of agriculture, to the formation of those industrious habits, which constitute a principal source of our virtues, and our happiness, and to a desirable independence on foreign nations, cannot escape the observation of those, who with unprejudiced and enlightened views, explore the sources of our national prosperity. We are already indebted to their partial progress, for the means of retaining our industrious youth from emigration in search of objects of employment and enterprise abroad, which are now afforded them at home, with more certain prospects of success. New-Hampshire presents greater advantages and induce-

ments, to some branches of manufacturing industry, than most other countries. Situations affording to the manufacturer the aid of suitable streams and falls of water, the most convenient and unexpensive power for impelling his machinery, are nowhere found in greater abundance and perfection. The nature of our climate, the varied surface of our soil, and its adaptation to grazing, unite in directing our views to the woollen manufacture, as peculiarly suited to our situation, advantages, and habits, and entitled more than any other, to the public attention and favor. It is a manufacture, which yields to none, in its independence on caprice or fashion, and in the amount and constancy of the demand for its products. It affords the most direct and extensive aid, to that kind of husbandry, to which our soil and climate must always tend to direct our chief attention. Natural advantages afford the only certain direction, to employments capable of affording permanent profit; and a sound and judicious policy will direct a people to avail themselves of such advantages to their utmost extent. Within the last year, our manufacturing interests have increased in extent and activity. Capital in our own, and from other states, has been invested in them, under circumstances promising great and durable advantages. The legislative encouragement derived from liberal charters of incorporation, imposing no restrictions or liabilities, but such as the public security manifestly required, and the advantages formerly afforded them by an exemp-

tion of a considerable part of their capitals from taxation, during their earliest efforts and subsequent embarrassments, have undoubtedly contributed to their present increasing prosperity. It cannot be doubted, that the benefits and favors, thus bestowed, will be repaid to society, by advantages beyond measure greater than the inconsiderable sacrifices, by which they were obtained.

The situation and limited extent of our seacoast, precludes us from deriving those extensive advantages from commerce, which are enjoyed by many of the other Atlantic States. Those of our citizens, who could avail themselves of these limited advantages, have by their intelligence, enterprise, and industry, contributed to our prosperity, and established the claim of this branch of industry to public favor, as one of those interests, which materially conduce to wealth, and general improvement.

The illiberal and selfish policy of our colonial government, during the last period of its existence, by a hurried distribution of the public lands to themselves and their favorites, without those reservations for the promotion of education, which a correct and sound policy would have dictated, has left us destitute of those public funds from this source, which are enjoyed by many of the other states. The evils, which might have resulted from this reprehensible desertion of one of the highest interests of society, have been averted by those enlightened views, which have since given us laws making a liberal provision for general instruction.

The tax annually imposed and cheerfully paid for this object amounts to nearly three times the usual amount of the annual public expenditure for the Legislative, Executive, and Judiciary departments of our state government. The judicious application of this tax, aided as it is in many of our towns, by an additional appropriation for the same purpose, authorized by the law, and generally by considerable private contributions, carries the means of mental improvement and of moral and political information, to all our children and youth without distinction. A system ensuring such means of general information, must be regarded as of inestimable importance, since it is only through the general intelligence, and correct moral feeling of the people, that we can hope to sustain and perpetuate the harmony and perfection of our political institutions.

The wisest systems of education, have never yet proved sufficient to eradicate, although they undoubtedly tend to lessen, the amount and atrocity of vice. Institutions having in view the prevention and punishment of crimes, and the correction of offenders, are therefore amongst the most indispensable establishments of government. For the attainment of these objects, our State Prison was erected, and has now been in operation a sufficient time to furnish the means of forming a correct estimate of its utility. Although experience has disappointed the sanguine expectations of those, who hoped for a general reformation of the vicious, who should become the objects of its discipline ; yet the facts,

which its operations have disclosed, leave no doubt, that it possesses great advantages over the system, which preceded it. Four years have nearly elapsed since the present system of conducting the affairs of the prison was adopted, and the present Warden appointed to office. The greatest number of convicts in the prison, at one time, within that period, was seventy-four; the present number is fifty-eight. The whole expence of the establishment, including the salary of the Warden, after deducting the profits derived from the labor of the convicts, for the year ending May, A. D. 1819, was eight hundred and sixty two dollars and seventy two cents, that for the year ending May, A. D. 1820, was three hundred and forty five dollars and forty-five cents, that for the year ending May, A. D. 1821, was two hundred and thirty two dollars and eighty nine cents. The whole annual expense of furnishing each convict with wholesome and nourishing diet, and comfortable clothing, for the year ending May, A. D. 1819, was forty nine dollars and fifteen cents, that for the year ending May, A. D. 1820, was thirty four dollars, that for the year ending May, A. D. 1821, was twenty three dollars and twenty cents. These sums exclude the expenses incurred by the sickness of the convicts, which owing to their general good health, have been very inconsiderable. The examination of the accounts of the prison for the year ending May, A. D. 1822, is not yet closed, but it is confidently expected, that the result will not be less favorable,

than that of the preceding year. The prospect of a steady and regular demand for the products of the labor of the convicts, is at present, more favorable, than at any preceding time since the establishment was commenced. The results stated lead, it is believed, to a favorable opinion of the present system of managing the concerns of this institution.

The board of Directors have endeavored to perform their duty faithfully, but a regard to justice requires them to acknowledge, that whatever claims to merit, the facts stated may be thought to disclose, it should be attributed chiefly to the able and faithful exertions of the Warden, in the performance of his duties. It would not only be unjust to merit, but injurious to the best interests of society, to withhold public approbation from an officer, who in the discharge of a public trust, displays all that care, diligence, and frugality, which the most industrious and discreet persons exercise in their own private concerns. Whatever may be the intrinsic excellence of systems of government, or of institutions connected with them, the degree, in which they will be found to promote the general welfare, will always depend on the degree, in which those to whom their administration is committed, bring with them, and preserve in their official conduct, those qualities and virtues, which insure respectability and success, in the common affairs of life. Without the possession and constant exercise of these qualities, in the performance of official duty,

no man can be worthy to receive the approbation, or retain the confidence of the people.

The maxim, that the certainty of punishment is more efficacious in the prevention of crimes than its severity, has commanded the assent and belief of the executive. The power of remitting the punishment of convicts, with which it is invested, has therefore been very sparingly exercised. Within the last three years, only five convicts have received a remission of any part of their punishment. Three of these labored under diseases believed to be incurable, by the physician of the prison, one was affected by mental derangement, and the remaining individual had conducted in an unexceptionable manner, during his residence in the prison, and was pardoned at the intercession of his aged father and an helpless family.

The only considerable defect in the present system, which has engaged attention, is the evil resulting from its incompetency, to afford a sufficient restraint upon the opportunity of communication, betwixt the more and less corrupt convicts, whereby the probability of individual reformation is diminished. This seems not to admit of a complete remedy, without a continual separate confinement of the convicts, which would greatly increase the expense, whilst it would lessen, if not wholly subvert, the profits derived from their labor. Such too are the character and confirmed bad habits of the convicts in general, that those benevolent persons, who would hope for many additional instances of

reformation from an alteration of this kind, would probably again be subjected to disappointment.

The law, which established our present judiciary system, transferred the judicial duties of the courts of Common Pleas to the Superior Court, and thereby considerably increased its labors. The change was induced by the expectation, that it would render the system less expensive, and more efficient. How far these hopes have been or may be realized, must be decided by experience. The limited extent of our territory and population, the great preponderancy of agricultural over all other pursuits, the unlitigious character of the people, and the very obvious decrease of litigation, united in encouraging the experiment of a system, much less complex, and which gave promise of being much less expensive, than those systems, which necessity, rather than choice, had imposed upon larger and more commercial States. The time fixed by the law for holding the sessions of the Superior Court, has in all the counties, excepting Rockingham, proved to be amply sufficient for the performance of the business. It is believed, that no instance has occurred in those counties, of delay in the decision of causes from want of time. The sessions have seldom been protracted beyond eight or nine, and in several instances have not exceeded five days. In the county of Rockingham, from the greater number and more intricate nature of many of the questions litigated, the time fixed by law for holding the semi-annual session in September, has proved in-

sufficient for the completion of the business. The public interest requires, that this inconvenience should be obviated. An adequate remedy might probably be afforded, by an alteration in the time of holding the September sessions in Strafford and Rockingham, which would give an additional week to the session in the latter county.

Frequent changes in the laws regulating judiciary proceedings are attended with many inconveniencies and evils, and should be avoided, unless evidently necessary to the public welfare. Where inconveniences are supposed to arise from the operation of an existing system, it is of great importance to examine cautiously, not only whether the supposed inconveniencies actually exist, but if found to exist, whether they arise from inherent defects in the system, or from extrinsic causes. Without a proper exercise of this precaution, the best judiciary system, which could be devised, might be discarded on account of mere defects in the rules adopted for its administration, or from incidental circumstances, or obstacles having no real connection with its merits, which a small amendment, or even time and experience, would enable those, who administer it, to correct.

The law of November session, A. D. 1820, having in view improvements in the organization and discipline of the Militia, aided by judicious regulations introduced into the Adjutant and Quarter-Master General's departments, and by the unremit-

ted attention and ability, with which the duties of those offices have been discharged, have produced a more systematic and effective discipline, and tend eventually to a reduction of the expenses incident to the military establishment. The present system in its great outlines is probably susceptible of but little improvement. In the provisions for enforcing its execution, further experience may be expected to point out the necessity of alterations. None have yet occurred to observation, as requiring immediate attention, excepting the burdensome expenses attending courts martial. These have under former systems been a subject of complaint, and it is regretted, that they do not appear to be lessened by the operation of the present law. It is very desirable, that some system may be devised and adopted, which would reduce these expenses, without putting at hazard the benefits derived from an efficient system of discipline. It is suggested for consideration, whether this object might not be attained in some considerable degree, by a reduction of the number of members and supernumerary members, which compose those tribunals, without endangering the rights of individuals, or the respectability and usefulness of the militia.

The law in relation to the powers of auditors appointed by the Superior Court in actions of account requires, it is thought, revision and amendment. In that form of action, the mutual claims and rights of partners in the ownership and management of property, and those, which arise from complicated agen-

cies in the negotiation of business, in which extensive confidence is necessarily placed, mutually, or by one party in the other, may be most conveniently and equitably adjusted. In such cases, where confidence has been misplaced, or disputes arise, great difficulties are experienced in obtaining the evidence necessary to ascertain the rights of the parties, from the circumstance, that much of this evidence often rests solely in the knowledge of the parties, or in their private books and papers; and the auditors are not by the present law authorized to compel the parties to make the disclosures, necessary to a correct knowledge of the facts, upon which the decision should depend.—I would therefore recommend, that the law on this subject be so amended, that auditors may be invested with the power to compel the parties, in causes depending before them, to produce such books and papers, and to answer on oath such interrogatories, relating to the matters in controversy, as may be pertinent and material.

It is also believed, that the law relative to suits against absconding debtors and their trustees, is susceptible of amendments, which would render it more extensively useful. By this law, the personal property, rights, and credits of absconding debtors in the hands of their trustees, are subjected to the demands of creditors, but the person, to whom the debtor may have transferred his real estate in trust, is not liable to a trustee process. When evidence can, in the ordinary course of proceeding at law, be obtained to shew, that such conveyance of real es-

tate was in trust for the benefit of the debtor, the conveyance would, in legal consideration, be regarded as a fraud, and such estate would be liable to a levy of execution in satisfaction of creditors. The difficulty of showing, that such conveyance was made in trust, for want of the power given by law in the case of trusts of personal property, of requiring the trustee to declare on oath the circumstances, under which the conveyance was made, renders it, in many cases, impossible to establish the fact of such trust and tends to the encouragement of such secret trusts and frauds.—It is suggested for consideration, whether the extension of the provisions of the law, respecting the liability of the trustees of the personal property, rights, and credits, of absconding debtors, to the case of the trustees of the real estates of such debtors, might not tend to the detection of frauds, and a more efficient administration of justice, in such cases. By the provisions of this law, only one person, as a sole debtor, can be sued in the same trustee process. Hence it happens, that where such absconding debtor has several trustees, and the creditor has several demands, a multiplicity of suits, and a great accumulation of expense is occasioned ; but when the creditor's demand consists of a single right of action, he is exposed to the loss of the greatest part of his claim, from the insufficiency of the sum in the hands of any one of the trustees, to discharge it, and the want of legal authority to join several of them in the same process. It is believed, that it would be expedi-

ent so to amend the law in this respect, as to enable the creditor to include several separate trustees of his absconding debtor in the same suit, under such restrictions as to costs, as would guard the law against abuse from the insertion of trustees, who were such only to an inconsiderable amount.

The measures of the national government are justly regarded as subjects of great interest to the people, but they become more peculiarly of this character, when believed to be founded on doubtful or erroneous constructions of the constitution, tending to an extension of their own powers. When a case of this kind occurs, or even if it appears probable, that it is about to happen, it becomes the duty of the Legislatures of the individual states, to adopt such constitutional measures, as may tend to correct the error, or avert the evil. A too scrupulous delicacy in the performance of this duty, when evident in its nature, and important in its consequences, would be a desertion of interests, which they are bound by the strongest motives to protect, and must tend to put at hazard every thing valuable in our civil institutions. These considerations are believed to justify the calling your attention to those collisions of opinion, which have several times taken place, betwixt the national Executive and a majority of Congress, on the construction which ought to be given to those provisions of the constitution, which vest in the national Legislature power to provide for the general interests, and more particularly for those, which are supposed to relate to internal

improvements. The constitution gives to Congress the power "to lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defence and general welfare of the United States," and immediately proceeds to define, and vest the specific powers, which were deemed necessary to effect these objects. Amongst these, it is thought no one can be found, which, on any known principles of construction, can authorize Congress to expend the public resources in mere objects of internal improvement. The power to impose taxes, to pay the debts, and provide for the common defence and general welfare, seems to have been construed, as a specific grant of power to Congress, to do any act, or adopt and carry into effect any, and every measure, without restriction, which, it might suppose, would conduce to the general welfare. This construction is believed to be wholly unwarranted. The words "to provide for the common defence and general welfare," are merely mentioned as the objects, for which the power to raise taxes is given, and the power to lay taxes, is the only specific power given by this article of the constitution. Under this erroneous construction, a majority of Congress seem to suppose, that they are invested with power, to appropriate the national resources to objects of mere internal improvement, such as making canals and roads in the interior of the country, which have no connection whatever, with either the common defence or the general wel-

fare, other than that, which all internal improvements, even the building of bridges or mills, or the improvement of the soil, possess. It is too obvious to be disputed, that if this clause of the constitution gives to Congress the authority to make such roads and canals, that even a less extended construction of it must include every specific power vested by that instrument, and thus render them wholly impertinent and unmeaning, an inconsistency and absurdity, which could not be admitted, except under the most imperative necessity. When we advert to the great caution, with which the powers vested by the constitution were generally defined and guarded by that distinguished body of men, by whom it was framed, we find it impossible to believe, that by the indefinite phrase, "to provide for the common defence and general welfare" in the connection in which it is used, they could have imagined it to be susceptible of that broad and sweeping construction, which must of necessity merge in it, and render utterly superfluous, every special grant of power in that instrument. A power to provide for the general welfare without restriction or limitation, is in fact, a power to do whatever those, who are invested with it, choose to consider promotive of those objects. This is in truth the power of a despotism, and can have no place in a free government, the first principle of which is, that the powers delegated to rulers, shall be distinctly and clearly defined and limited. Were the phrase in question to be regarded, even as a delegation of

power to provide for the general welfare, yet on every known and acknowledged principle of interpretation, it would be liable to receive a strict construction, and consequently could authorize only such measures of Congress, as were in their nature general, extending direct benefits to every part of the nation, and not such as were directly beneficial only to a part, and to the remainder merely incidentally, by possibility, or on some remote and uncertain contingency. The consequences, which may naturally be expected to result from giving so broad and indefinite a construction to this clause of the constitution, as would authorize Congress to appropriate the national resources to mere objects of internal improvement, ought not to be disregarded in a consideration of this question. The national resources, so applied, would generally be directed to great and imposing objects in those parts of the country, which were susceptible of them on that extensive and magnificent scale, which would gratify those national feelings, which always have a powerful influence, whilst those which were less adapted to gratify these feelings, although of equal or even greater importance, and those affecting the interests of the smaller and more remote sections of the country, would be either wholly neglected, or receive less than a proportionate share of the attention of the government.

Jealousies and discord would inevitably spring from real or supposed partiality in the appropriations for these objects, and endanger that general

harmony, which is intimately connected with national happiness. It would greatly extend that indirect power and influence of the government, derived from its patronage, which ought always to be feared, as a principal source of that intrigue and corruption, which has so generally destroyed or impaired every thing valuable in human governments. No motives are discovered, that should induce a wish, that the constitution might be found susceptible of a construction, which should authorize Congress to expend the national resources in mere objects of internal improvement, unless accompanied by a belief, that these objects would be more judiciously and economically attained under the direction of the National, than of the State governments. But no facts or evidence are known to exist, which can be thought to warrant that expectation. In national governments generally, (it is hoped our own may prove an exception,) waste and profusion, corruption and favoritism, connect themselves with every national undertaking and expenditure. This arises in part from the extension and complication of the national concerns, which renders it difficult to exercise an efficient control over numerous and remote agents, of whose characters, conduct and circumstances, the government cannot always keep itself sufficiently informed :—and it arises in part from a combination, of an indirect kind at least, amongst those, who are employed in, or by the government, to afford each other a mutual support against the correction of abuses, or the introduction

or preservation of those principles of economy in the public concerns, which the interests of the people require. At times this is so obvious, that they are seen to possess the effrontery to endeavor to influence public opinion, by boldly affecting to hold up to scorn every measure, having for its object the correction of a wasteful misuse of the public resources, as unbecoming national dignity ; as if it were possible, that real national dignity and respectability could acknowledge any connection with profusion and extravagance.

It may not seem probable, that this clause of the constitution will speedily receive a settled construction from the National Legislature, when we consider the present difference of opinion on this question, between the National Executive and the Legislature, the present state of the National treasury, which requires a restriction, rather than an increase of expenditure, and the uncertainty at least, whether we are not to experience still longer a continued accumulation of the national debt, notwithstanding the lapse of several years of profound peace. Yet it cannot be improper, that public attention should be now directed to the consideration of a provision of the constitution, supposed to vest powers so extensive and indefinite, and which has received a different and irreconcilable construction, from men, judging no doubt from the purest motives, and possessing high claims to public confidence for their intelligence and integrity. It can neither be regarded as assuming nor improper in the legislature of a

State, after giving that deliberate consideration to this question, which its importance and difficulty may be thought to require, to form and bring to the view of the other State Legislatures, an opinion on the question, whether the power of expending the national funds on objects of mere internal improvement, has been delegated to the general government; and if believed to be so delegated, whether the constitution ought not to be so amended, as to divest Congress of this power, or so direct and regulate its exercise, as to afford security against those evils which may result from it, and secure to every part of the nation an impartial distribution of such appropriations, as may be made for these objects.

SAMUEL BELL.

Concord, June 7, 1822.

The foregoing message having been read,

On motion of Mr. Eastman,

Ordered, that the same be laid on the table, and that the Clerk be directed to procure one hundred printed copies thereof and lay the same, as soon as may be, before the Senate.

Adjourned to three o'clock, P. M.

Met according to adjournment.

A vote of the House of Representatives, that the committee appointed to return the thanks of the Legislature to the reverend Jonathan French, for his discourse delivered yesterday, be requested to

report what compensation shall be made him for that purpose, was brought up, read and concurred.

A vote of the House of Representatives, that Messrs. Colby, of Hopkinton, Toppan and Ladd, with such as the Senate may join, be a committee to adjust and settle the accounts between this State and the Treasurer thereof, and that they report thereon, was brought up, read and concurred ; Mr. Livermore joined.

Mr. Hoit, for the committee appointed to report rules and regulations for the government of the Senate during the present session, reported a system of rules, which were ordered to be laid on the table.

A message was received from the House of Representatives by Mr. Toppan, requesting the Senate to meet the House in Convention to proceed in the elections, agreeably to the order of the day.

On motion of Mr. Lord,
Voted to meet the House forthwith

IN CONVENTION.

The Secretary came in and laid before the Convention the votes for Counsellors for the several Counties, which having been opened, read and entered,

On motion of Mr. Clark, of Sanbornton,
Voted, that a committee of five be appointed to receive, examine, compare and cast the same, and report thereon, and Messrs. Lord and Livermore of the Senate, and Messrs. Webster of Boscawen,

Wallace of Weare, and Stevens of Pembroke, of the House, were appointed.

On motion of Mr. Cogswell,
The Convention rose with leave to sit again.

IN SENATE.

Adjourned to 9 o'clock, to-morrow morning.

SATURDAY, JUNE 8, 1822.

Met according to adjournment.

On motion of Mr. Eastman,

Ordered, that the Clerk procure one hundred printed copies of the election sermon for the use of the Senate.

Mr. Huntington, for the committee appointed to notify the reverend Thomas Beede, of his appointment as Chaplain the present session, and also to notify His Excellency the Governor that prayers will be attended at the Representatives' chamber at nine o'clock in the morning of each day during the session, reported, that the committee had attended to the duty assigned them.

On motion of Mr. Hill,

Voted, that a committee of three be appointed to take into consideration the message of His Excellency the Governor, and report a reference of the several subjects therein contained ; Messrs. Hill, Bingham and Buzzell were appointed.

On motion of Mr. Eastman,

The rules reported for the government of the

Senate were taken up and considered, and having been amended were adopted as follows.

Rules of the Senate for June Session, 1822.

1. The President shall take the chair at the hour to which the Senate shall have adjourned, and on the attendance of a quorum shall call the Senate to order, and each morning shall cause the journal of the preceding day to be read. He shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

2. The President shall preserve order and decorum, and shall decide all questions of order subject to an appeal to the Senate by any member; and all bills, resolves and addresses, after passing the Senate, shall be signed by the President; and all warrants and subpoenas or other processes, issued by order of the Senate, shall be under his hand and seal, attested by the Clerk.

3. Each member shall seasonably and punctually attend to his duty in the Senate.

4. When any member is about to speak in debate, or deliver any matter to the Senate, he shall rise from his seat and respectfully address the President, and shall confine himself to the question under debate, and avoid personality.

5. When any motion is made it shall be reduced to writing, if the President or any member requests it.

6. Any member may call for a division of the question, when the same is divisible.

7. When any motion is before the Senate, no other motion shall be received, except for an amendment, for a postponement, for a commitment, for an adjournment, or for the previous question.

8. Upon motion made by any one member, the yeas and nays, shall be taken, upon any question, and if required entered on the journals; and shall be taken in the order of the Districts, beginning with No. 1, when every member present shall give his vote, unless for special reasons excused by the Senate.

9. No petition or bill shall be introduced into the Senate, those received from the House of Representatives excepted, unless by report of a standing committee, or by a member on motion for that purpose, after stating the object of the petition, or title of the bill; and whenever a bill shall not be rejected, on its first reading, a time shall be assigned for a second reading of the same. And no bill shall pass to be enacted, until it shall have had three several readings, nor shall any bill be read a third time, until an adjournment take place, after its second reading, unless this rule be dispensed with by a vote of the Senate.

10. No member shall absent himself from the Senate without leave.

11. There shall be a standing committee, to consist of three members on each of the following sub-

jects, to wit :—on all matters touching the judiciary, or judicial proceedings ; on all petitions for acts of incorporation ; on all matters in relation to the militia ; on all accounts and claims against the state ; on all bills to be engrossed for a third reading ; on all matters touching the elections, returns, or qualifications of Senators ; and on the unfinished business of last session. All other committees, except joint committees, shall consist of three members, unless the Senate shall otherwise order. All private bills, resolves, votes, and other proceedings of the House of Representatives, shall be referred to the several committees, on the same subject in the Senate, previous to acting thereon ; and all bills of a general or public nature, received from the House of Representatives shall, previous to being acted upon, be referred to a committee.

12. All committees shall be appointed by the President, unless a member requests the appointment to be by ballot, in which case, it shall be so done.

13. When the Senate shall concur in the appointment of a joint committee, consisting of not more than five members from the House, one member only shall be added on the part of the Senate ; but when of more than five, two members shall be added thereto, on the part of the Senate.

14. No resolve or vote shall be reconsidered, when there is a less number of members of the Senate present, than there was at the passing the same.

15. The Senate shall, on no occasion, meet the House in Convention, until they shall have previously passed a vote for that purpose.

16. Whenever the subject matter on which the Senate shall meet the House in convention, shall be finished, the Senate shall immediately retire to their chamber.

17. Whenever the Senate propose to concur with the House in the passage of any vote, bill, or resolve, with amendments proposed by the Senate, provided the House adopt the proposed amendments, the Senate are not at liberty to withhold their concurrence.

18. The standing committees shall attend, at their respective committee rooms, one hour before the meeting of the Senate in the morning, and at such other times as the Senate may order.

19. The Senate shall adjourn to meet at nine o'clock in the forenoon, and at three o'clock in the afternoon of each day, unless otherwise ordered by the Senate; and on motion to adjourn there shall be no debate.

20. No person except members and officers of the Executive and Legislature, shall be admitted within the bar of the Senate, unless by invitation of the President, or some member with his consent, except when the Senate shall be in committee of the whole on public hearings, when the parties, their counsel or witnesses, shall be admitted.

21. The Senate may, at any time resolve itself into a committee of the whole, and in forming such committee, the President shall leave the chair, and appoint a chairman to preside.

22. When bills are committed to a committee of the whole, the bill shall be first read throughout by the clerk, and then again read and debated by clauses. The body of the bill shall not be defaced, or interlined, but all amendments noting the page, and line, shall be duly entered by the clerk, on a separate paper, as the same shall be agreed to by the committee, and so reported to the Senate.

23. All communications to be made by the Senate to the House of Representatives, may be sent by the Clerk.

Mr. Eastman moved that the Clerk be directed to procure fifty printed copies of the rules of the Senate for the use thereof, which motion did not prevail.

A message was received from the House of Representatives by Mr. Rogers, informing that the House were ready to meet the Senate in convention, to proceed in the elections, agreeably to the order of the day.

On motion of Mr. Eastman,
Voted, to meet the House forthwith in convention.

IN CONVENTION.

Mr. Lord, for the committee appointed to receive, examine, compare and cast the votes for

Counsellors and report thereon, made the following report.

The committee appointed to receive the votes for Counsellors, examine the returns, compare and cast their numbers, and report thereon, having attended to the duty assigned them, ask leave to report—that the whole number of votes returned, there being none considered illegal, in the County of Rockingham, is

4706

Necessary for a choice,

2354

The Hon. Hunking Penhallow having
is duly elected.

4449

That the whole number of votes returned, there being none considered illegal, in the County of Strafford, is

5639

Necessary for a choice,

2820

The Hon. Richard Odell having
is duly elected.

5619

The votes from the town of Ossipee being for the Hon. Richard Odell 160, not being returned into the Secretary's office, till the 17th of May, have nevertheless been counted.

That the whole number of votes, which are considered to be legally returned in the County of Hillsborough, is

4788

Necessary for a choice,

2395

Estimated as scattering,

144

The Hon. Richard H. Ayer having
is duly elected.

4644

The votes from the town of Dunstable, being for the Hon. Richard H. Ayer 110, and those from

Sharon, being for the Hon. Richard H. Ayer 46, and James Moore 1, are not included in the above estimate ; the certificates of the town clerks of said towns, do not purport to be copies of record, and no other evidence being laid before the committee. The return of the town clerk of Henniker, stating that the votes were not declared in open town-meeting, and giving Hon. Richard H. Ayer 123 votes, are included in the above estimate.

That in the County of Cheshire the whole number of votes returned, none being deemed illegal, is

5252

Necessary for a choice,

2627

The Hon. Elijah Belding having

2704

is duly elected.

That the whole number of votes legally returned in the Counties of Grafton and Coos is

4853

Necessary for a choice,

2427

The Hon. Ezra Bartlett having

2531

is elected.

The votes from Whitefield, being for Hon. E. Bartlett 49 votes, and Caleb Keith, Esq. 9, are not included in the foregoing estimate, because it does not appear by the clerk's return that the same is a true copy of record.

JOTHAM LORD, jr.

for the Committee.

Mr. Hill, of the Senate, moved that the report be recommitted with instructions to expunge the votes of the town of Ossipee, which were not constitutionally returned in season, and the votes of the town

of Henniker, which are certified by the town clerk *not* to have been declared in open town meeting.

On motion of Mr. Hoit, of the Senate, the question was divided.

And on the question to recommit the report with instructions to expunge the votes of the town of Ossipee, it was determined in the affirmative.

On the question to recommit the report, with instructions to expunge the votes of the town of Henniker, which are certified by the town clerk *not* to have been declared in open town meeting, it was determined in the affirmative.

Mr. Lord, for said committee, made the following report.

By order of the convention, the committee amend the report by rejecting the votes of Ossipee, being one hundred and sixty, leaving for the Hon. Richard Odell

5459

And the votes of Henniker, being for the Hon. Richard H. Ayer 123, leaving for the Hon. Richard H. Ayer

2272

The report as amended was then accepted, and on motion

The Convention rose.

IN SENATE.

On motion of Mr. Hill,

Voted, that a committee, with such as the House of Representatives may join, be appointed to inform His Excellency the Governor that the Hon. Hunking Penhallow has been elected Counsellor for the

county of Rockingham ; Hon. Richard Odell, Counsellor for the county of Strafford ; Hon. Richard H. Ayer, Counsellor for the county of Hillsborough ; Hon. Elijah Belding, Counsellor for the county of Cheshire ; and Hon. Ezra Bartlett, Counsellor for the counties of Grafton and Coös. And Messrs. Hill and Hoit were appointed on the part of the Senate.

Sent down for concurrence.

On motion of Mr. Hoit,

Voted, that when the Senate adjourns, it shall be to Monday next, at 11 o'clock, A. M.

Adjourned.

MONDAY, JUNE 10, 1822.

Met according to adjournment.

The President announced the appointment of the following

STANDING COMMITTEES.

On the Judiciary,

Messrs. Livermore,
Eastman and
Bingham.

On Corporations,

Messrs. Lord,
Huntington and
Livermore.

On the Militia,

Messrs. Hoit,
Kimball and
Wallace.

On Claims and Accounts,

Messrs. Wallace,
Boardman and
Huntington.

On Engrossed Bills,

Messrs. Eastman,
Hill and
Bingham.

On Elections,

Messrs. Hill,
Buzzell and
Boardman.

On Unfinished Business,

Messrs. Huntington,
Lord and
Kimball.

Mr. Hill, for the committee appointed to inform His Excellency the Governor of the election of the Counsellors for the respective counties, reported, that the committee had performed the duty assigned them.

Adjourned.

Met according to adjournment.

Mr. Hill, for the committee appointed to report a reference of the several subjects contained in the message of His Excellency the Governor, reported as follows :

That so much of said message as recommends the encouragement of agriculture and manufactures, be referred to a select committee ;

That so much of said message as relates to the subject of education, be referred to a select committee ;

That so much of said message as relates to the economy and management of the State prison, be referred to a select committee ;

That so much of said message as recommends a revision of the laws relative to the militia and courts' martial, be referred to the committee on the militia ;

That so much of said message as regards the law in relation to the powers of auditors appointed by the Superior Court in actions of account, and the law relative to suits against absconding debtors and their trustees, and whatever relates to judicial courts, be referred to the committee on the judiciary and judicial proceedings ;

That so much of said message as relates to collisions on the construction of the constitution of the United States touching the powers of Congress, in regard to appropriations for internal improvements, be referred to a select committee.

Which report was read and accepted.

A message was communicated from the House of Representatives by Mr. Morrill, informing that the House were ready to meet the Senate in convention, to proceed in the elections, agreeably to the constitution.

When, on motion of Mr. Hill, the Senate met the House in convention.

IN CONVENTION.

On motion of Mr. Keith, of the House, the convention proceeded to elect a Secretary of the State, and Samuel Sparhawk, Esq. was chosen.

On motion of Mr. Boody, of the House, the convention proceeded to the choice of a State Treasurer, when William Pickering, Esq. was elected.

When, on motion of Mr. Parker of the House, the convention arose.

The President announced the appointment of the following select committees, on the respective subjects of the Governor's Message, viz.

On the encouragement of agriculture and manufactures,

Messrs. Wallace,
Livermore and
Huntington.

On the subject of education,

Messrs. Bingham,
Eastman and
Hill.

On the economy and management of the State Prison,

Messrs. Boardman,
Buzzell and
Hoit.

On collisions on the construction of the constitution of the United States, touching the powers of Congress in regard to appropriations for internal improvements,

Messrs. Hill,
Livermore and
Kimball.

Adjourned.

TUESDAY MORNING, JUNE 11, 1822.

Met according to adjournment.

The following resolution was submitted by Mr. Livermore—

Resolved, That the Judiciary Committee be instructed to enquire into the expediency of enabling feme coverts of idiots, lunatics, and distracted persons, to transfer their rights in real estates, by joining in deeds of conveyance with the guardians of their husbands—which was agreed to.

Mr. Huntington, for the committee on unfinished business of the last session, reported as unfinished business, a bill entitled an act to constitute a new County by the name of Merrimack; which was postponed to the present session.

On motion of Mr. Hoit,

Voted, that a committee be appointed, with such

as the House of Representatives may join, to inquire what, or whether, any rules for the government of both houses are necessary, and to report thereon by bill or otherwise. And Messrs. Hoit and Livermore were appointed on the part of the Senate.

A vote of the House of Representatives, "that Messrs. Branscomb, Blair, Hall, Lary, and Ford, with such as the Senate may join, be a committee to wait on Samuel Sparhawk, Esquire, and inform him of his election to the office of Secretary, and upon William Pickering, Esquire, and inform him of his election to the office of Treasurer, and, if they shall accept of their appointments, to receive the necessary bonds, and lay the same before this House," was brought up, read and concurred:—and Mr. Eastman joined.

The following report having been made to the House of Representatives and there read and accepted, was brought up, read, and the vote of the House concurred.

The committee appointed to adjust and settle the accounts between this State and the Treasurer thereof

REPORT :

That the Treasurer has exhibited to them, and they have carefully examined the following accounts from the 4th day of June 1821, to the 4th day of June, 1822.

First—An account of notes and bonds amounting to

\$5,913 32

Discharged by general cash account for amount received for note signed by Josiah Gillis and others 981 52

A note signed by Moses Foss, jr. and others 831 80

A note signed by Thomas Beech 100

A bond executed by the Treasurer of Dartmouth University 4,000

—————5,913 32

Second—An account of stock in the United States' funds, and Bank

Stock amounting to 149,742 22

Discharged by general cash account for reimbursement of principal of six per cent stock 3,313 16

Amount of 6 per cent. stock remaining in the funds 8,689 61

Do. 3 per cent. stock 95,134 45

Do. 7 per cent. stock 17,605

New-Hampshire Bank stock 25,000

————— 149,742 22

Third—A general cash account embracing the following items of credit, viz.

Balance of cash in the Treasury, June 4, 1821 4,765 44

Specie Taxes outstanding 2,696 43

Cash received of James

Poole for rent of medical

building at Hanover 18 92

Cash borrowed pursuant to a Resolve of the Legislature	17,000
Cash received for note signed by Josiah Gillis and others	981,52
Cash received for land conveyed to Henry Schoff, pursuant to a Resolve	143,75
Cash received for travel over- charged from member from Holderness	1
Cash received for land conveyed to J. Meserve, jr. pursuant to a Resolve	18,89
Cash received from fines of militia exempts	16
Dividends and interest on stock in U. States' funds	8,054,17
State Tax for the year 1821	30,000,00
<hr/>	
is \$63,696 12	

Which sum is accounted for as follows, viz.

Paid sundry orders drawn by the Executive for the current expenses of the government, including salaries, rolls for travel and attendance of the Hon- orable Council, Senate and House of Representa- tives, and appropriations for deaf and dumb chil- dren, and for agricultural purposes,	29,831 20
Paid on account of State Prison	2,209

Paid for principal and interest of Bank debts	17,597 04
Paid for redemption of State Note	5
Paid for wild cat bounty	180
Paid for crow bounty	2 37
Paid Brigade Inspector	13 72
Paid for Gun Houses	70
Paid for expenses of Courts Martial	609 84
Taxes outstanding prior to the year 1821	1,013 30
Taxes outstanding for the year 1821	359 56
Cash in the Treasury, June 4, 1822	11,805 09
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	is \$63,696 12

That the accounts are duly vouched, correctly cast, and the vouchers are herewith exhibited.

ARTHUR LIVERMORE,
THOMAS W. COLBY,
EDMUND TOPPAN,
DUDLEY LADD.

Concord, June 1822.

Adjourned.

TUESDAY AFTERNOON, JUNE 11.

Met according to adjournment.

Voted, that Messrs. Hill and Buzzell, with such

as the House of Representatives may join, be a committee to take into consideration, the returns of the votes for and against the question, whether a new County shall be erected, embracing the following towns, viz. Allenstown, Bow, Canterbury, Concord, Chichester, Epsom, Northfield, Pembroke, Loudon and Pittsfield, in the County of Rockingham, and Andover, Boscawen, Bradford, Dunbarton, Fishersfield, Henniker, Hopkinton, New-London, Salisbury, Sutton, Warner, and Wilmot, in the County of Hillsborough; together with the bill on that subject, postponed at the last session, in the Senate, and that they report by bill or otherwise.

A vote of the House of Representatives that the committee appointed to settle the accounts between the State and the Treasurer, be directed to inquire into, and report a particular statement of the outstanding taxes due at the Treasury, designating the year, amount, and what part it is proper to discharge; was brought up, read, and concurred.

The committee appointed to report what compensation should be made to the Rev. Jonathan French, for preaching the election sermon, having reported to the House of Representatives that he should receive twenty dollars; the report was brought up, and read, and a vote of the House accepting the same was brought up, read, and concurred.

A resolve of the House of Representatives allowing the Rev. Jonathan French twenty dollars, for preaching the election sermon was brought up, read, and concurred.

On motion of Mr. Eastman,

Ordered, that the committee appointed to take into consideration the returns of votes for and against the question whether a new County shall be erected from certain towns in the Counties of Rockingham, and Hillsborough, as beforementioned, be instructed to take also into consideration the propriety of repealing the first section of an act passed June 27, 1809, entitled an act, in addition to, and amendment of an act, entitled an act, for the punishment of idle and disorderly persons, for the support and maintenance of the poor; and for designating and defining the powers of the overseers of the poor.

Adjourned.

WEDNESDAY MORNING, JUNE 12, 1822.

Met according to adjournment.

The committee appointed to wait on Samuel Sparhawk, Esquire, and inform him of his election to the office of Secretary, and upon William Pickering, Esquire, and inform him of his election to the office of Treasurer, and if they should accept of their appointments to receive the necessary bonds, having reported to the House of Representatives that they had attended to the duty assigned them, and that said Samuel Sparhawk and William Pickering have severally declared to them their acceptance of the several offices to which they have been elected,

and have furnished the committee with the several bonds accompanying this report ; and said report, having been read and accepted by the House, was brought up and read, and a vote of the House that the Secretary's bond be lodged with the Treasurer, and the Treasurer's bond with the Speaker of the House of Representatives, was brought up, read, and concurred.

Adjourned.

WEDNESDAY AFTERNOON.

Met according to adjournment.

On motion of Mr. Hoit,

Resolved, That the committee on the Judiciary be instructed to take into consideration the several laws now in force, relative to the method of making taxes, and for ascertaining the powers of Selectmen, and report such alterations and amendments, as they may deem necessary.

Mr. Buzzell obtained leave and presented a bill, entitled an act requiring an oath or affirmation to be administered to moderators of town meetings, which having passed a first and second reading, was, on motion of Mr. Livermore, referred to a committee of the whole Senate, and made the order of the day for to-morrow.

A message was received from the House of Representatives by Mr. Whittemore, who presented a bill entitled an act to incorporate E. G. Parrott, J.

Cutter, Charles Coffin, Alexander Ladd, and Samuel Lord, into a Company by the name of the Portsmouth Insurance Company, which had passed the House of Representatives, and to which he requested the concurrence of the Senate ; which bill having been read a second time was referred to the standing committee on corporations to report thereon.

A message was communicated from the House of Representatives by Mr. Cogswell, who presented a bill for the concurrence of the Senate, entitled an act, in addition to an act, entitled an act, to incorporate sundry persons by the name of the President, Directors and Company of the Exeter Bank ; and the same having had two readings, was referred to the standing committee on corporations to report thereon.

A message was received from the House of Representatives by Mr. Quimby, communicating a bill entitled, an act extending the time limited for erecting and completing Bartlett Bridge, that had passed the House, and to which he requested the concurrence of the Senate ; which bill, having had two several readings, was referred to the standing committee on corporations to report thereon.

Mr. Huntington obtained leave and presented a bill entitled an act, in addition to an act, entitled an act, for forming, arranging and regulating the militia, passed December 22, 1820, which passed two readings, and was referred to the standing committee on the militia, to report thereon.

Adjourned.

THURSDAY, JUNE 13, 1822.

Met according to adjournment.

On motion of Mr. Buzzell, the Senate resolved itself into a committee of the whole, on the bill entitled an act requiring an oath or affirmation to be administered to moderators of town meetings, Mr. Livermore in the chair, and having had the same under consideration, the chairman reported the bill without amendment, which was accepted, and an order passed for a third reading thereof at three o'clock this afternoon.

Mr. Livermore, for the committee on the Judiciary, reported a bill entitled "an act in addition to an act, entitled an act to authorize the Superior Court to empower guardians to sell the real estate of their wards," passed December 24, 1795; which on motion was referred to the committee of the whole Senate, and made the order of the day for to-morrow.

Mr. Lord, for the committee on corporations, to whom was referred the bill from the House of Representatives entitled an act, in addition to an act, entitled an act, to incorporate sundry persons by the name of the President, Directors and Company of the Exeter Bank, with the papers accompanying the same, reported the bill without amendment.

Mr. Lord, for the same committee, to whom was referred a bill from the House of Representatives entitled "an act, in addition to an act, entitled an act, in addition to an act, authorizing the town of

Bartlett to erect and keep in repair a Bridge over Saco River," passed December 13, 1816, with the accompanying papers, reported the bill without amendment.

Mr. Lord, for the same committee, to whom was referred the bill from the House of Representatives, entitled an act to incorporate E. G. Parrott, J. Cutter, Charles Coffin, Alexander Ladd, Samuel Lord, and others, into a Company by the name of the Portsmouth Insurance Company, with the accompanying papers, reported the bill without amendment—when it was moved by Mr. Livermore, that the Senate do now take the same into consideration—which motion prevailed.

The Senate then, on motion of Mr. Livermore, went into committee of the whole on the aforesaid bill, and having had the same under consideration, Mr. Bingham reported it to the Senate without amendment, which report was accepted, and, on motion of Mr. Eastman, the bill was ordered to lie on the table.

The bill entitled an act in addition to an act, &c. to incorporate the President, Directors and Company of the Exeter Bank, was called up, and having passed a second reading, a third reading thereof, was, on motion of Mr. Eastman, assigned for three o'clock this afternoon.

The bill entitled an act in addition to an act, entitled an act, &c. authorizing the town of Bartlett, to erect and keep in repair a Bridge over Saco riv-

er, was called up, and assigned for a third reading, at three o'clock this afternoon.

The following resolution was submitted by Mr. Hill, passed, and sent down for concurrence.

Resolved, That Capt. Partridge's company of Cadets while in this town, during the present and ensuing week, have liberty to occupy the area, under the Representatives' Hall; or the large committee room under the Senate chamber; at and during the hours, when the Legislature shall not be in session.

The Senate resumed the consideration of the bill entitled an act to incorporate E. G. Parrott, J. Cutter, Charles Coffin, &c. &c. and others into a company by the name of the Portsmouth Insurance Company, which having passed a third reading, was enacted.

Presented.

Mr. Hoit, for the standing committee on the militia, to whom was referred a bill entitled an act for forming, arranging and regulating the militia, reported the same without amendment.

On motion of Mr. Hill, the bill entitled "an act extending the time limited for erecting and completing Bartlett Bridge," was called up, read a third time and enacted.

The bill entitled an act, in addition to an act, for forming, arranging and regulating the militia, was called up and read, when it was moved by Mr. Wallace, that the same be indefinitely postponed—when, on motion of Mr. Livermore, the bill was ordered to lie on the table.

Mr. Eastman, for the committee on engrossed bills reported, that they had examined the bill entitled an act requiring an oath or affirmation to be administered to moderators of town meetings ; that they had compared it with the original and found it correctly engrossed. And the said bill having previously passed, received the signature of the President, and was sent down for concurrence.

The following resolution was presented by Mr. Lord, and passed.

Resolved, That Friday next, at three o'clock, P. M. be appointed and assigned as the time for going into the election of a Senator from this State to the Congress of the United States, to serve six years from the third of March next.

Adjourned.

Met according to adjournment.

A message was received from the House of Representatives by Mr. Boody, communicating the following bills for the concurrence of the Senate.

A bill entitled an act to incorporate St. Paul's Lodge, No. 30.

A bill entitled an act to incorporate Webb Chapter of Royal Arch Masons, No. 6.

A bill entitled an act to incorporate a Company by the name of the Proprietors of the Mason Cotton Factory.

A bill entitled an act to incorporate certain persons by the name of the Milton Social Library.

A bill entitled an act, in addition to an act, entitled an act to incorporate the New-Hampshire Fire and Marine Insurance Company.

A bill entitled an act to establish a Corporation by the name of the Salmon Falls Manufacturing Company.

The bill entitled an act to incorporate St. Paul's Lodge, No. 30, having been twice read, was referred to the standing committee on corporations to report thereon.

The bill entitled an act to incorporate Webb Chapter of Royal Arch Masons, No. 6, having been twice read, was referred to the standing committee on corporations to report thereon.

The bill entitled an act to incorporate a Company by the name of the Proprietors of the Mason Cotton Factory, having been twice read, was referred to the standing committee on corporations to report thereon.

The bill entitled an act to incorporate certain persons by the name of the Milton Social Library, having been twice read, was referred to the standing committee on corporations to report thereon.

The bill entitled an act, in addition to an act, entitled an act to incorporate the Fire and Marine Insurance Company, having passed two readings, was referred to the standing committee on corporations to report thereon.

The bill entitled an act to establish a Corporation by the name of the Salmon Falls Manufacturing Company, having been twice read, was referred to the standing committee on corporations to report thereon.

Mr. Hoit introduced the following resolution.

Resolved, That a committee be appointed to report a bill for districting the State for the choice of Representatives to the Congress of the United States; which was read, and ordered to lie on the table.

Mr. Eastman submitted the following resolution.

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of altering the law relative to pedlars, hawkers, and showmen; and to report thereon, by bill or otherwise; which was read and ordered to lie on the table.

Adjourned.

FRIDAY, JUNE 14, 1822.

Met according to adjournment.

Mr. Eastman obtained leave and presented a bill entitled an act, in addition to an act declaring the mode of conveyance by deed, passed the 10th day of February 1791; which, having been twice read, was referred to the standing committee on the judiciary, to report thereon.

Mr. Lord, for the standing committee on corporations, to whom were referred the bill entitled an

act to incorporate Webb Chapter of Royal Arch Masons, No. 6 ; also the bill entitled an act to incorporate St. Paul's Lodge, No. 30, reported the same without amendment.

The bill to incorporate Webb Chapter of Royal Arch Masons, No. 6, was read a second time, and ordered to a third reading, at three o'clock this afternoon.

The bill to incorporate St. Paul's Lodge, No. 30, passed a second, and was ordered to a third reading, at three o'clock this afternoon.

Mr. Lord, for the standing committee on corporations, to whom were referred the bill to incorporate the Proprietors of the Mason Cotton Factory ; the bill to incorporate certain persons by the name of the Milton Social Library ; and the bill in addition to an act, entitled an act to incorporate the New-Hampshire Fire and Marine Insurance Company, reported the same without amendment.

The bill to incorporate the Proprietors of the Mason Cotton Factory, was read a second time, and assigned for a third reading, at three o'clock this afternoon.

The bill to incorporate certain persons by the name of the Milton Social Library, was read a second time, and ordered to a third reading, at three o'clock this afternoon.

The bill in addition to an act, entitled an act to incorporate the New-Hampshire Fire and Marine Insurance Company, passed a second, and was or-

dered to a third reading, at three o'clock this afternoon.

The bill in addition to an act, entitled an act to incorporate sundry persons by the name of the President, Directors and Company of the Exeter Bank, approved December 19, 1803, was read a third time, and enacted.

Presented.

On motion of Mr. Lord, the Senate went into committee of the whole, on the bill entitled an act, in addition to an act, entitled an act to authorize the Superior Court, to empower guardians to sell the real estate of their wards, passed December 24, 1795, and having had the same under consideration the committee rose, and Mr. Eastman reported the bill without amendment; which report was accepted, and three o'clock this afternoon assigned for a third reading of the same.

A message was received from the House of Representatives by Mr. Sawyer, the Assistant Clerk, communicating the following vote.

In the House of Representatives, June 14, 1822.

Voted, that His Excellency Samuel Bell, represent this State, in the Senate of the United States, for the term of six years, from and after the third day of March next;—when, on motion of Mr. Eastman, it was ordered that the same be taken into consideration at three o'clock this afternoon.

Adjourned.

FRIDAY AFTERNOON, JUNE 14.

Met according to adjournment.

A message was received from the House of Representatives by the Assistant Clerk, who presented the following communication from His Excellency the Governor.

To the Senate and House of Representatives.

GENTLEMEN,

I transmit herewith copies of the returns received from the Banks in this State, since the last session of the Legislature.

SAMUEL BELL.

June 12, 1822.

Which, with the accompanying papers, was, on motion of Mr. Livermore, ordered to lie on the table.

The bill entitled an act to incorporate St. Paul's Lodge, No. 30, passed a third reading, and was enacted.

Presented.

Agreeably to the order of the day, the bill entitled an act to extend the charter of the N. H. Fire and Marine Insurance Company, was read a third time, and passed to be enacted.

Presented.

The bill entitled an act to incorporate Webb Chapter of Royal Arch Masons, No. 6, was read a third time, and passed to be enacted.

Presented.

Mr. Lord, for the standing committee on corporations, to whom was referred the bill entitled an act to establish a Corporation by the name of the Salmon Falls Manufacturing Company, reported the same without amendment ; which was read and ordered to lie.

The bill entitled an act to incorporate certain persons by the name of the Milton Social Library, was read a third time, and enacted.

Presented.

On motion of Mr. Eastman,

Voted, to go into the choice of a Senator to represent this State in the Congress of the United States, agreeably to the order of the day, and that the vote be by ballot.

The Senate proceeded to ballot accordingly, and His Excellency Samuel Bell, having a majority of ballots, was declared duly elected on the part of the Senate, to represent this State in the Senate of the United States, for the term of six years, from and after the third day of March next.

On motion of Mr. Livermore,

Voted, to concur in the vote of the House of Representatives that His Excellency Samuel Bell, represent this State in the Senate of the United States, for the term of six years, from and after the third day of March next.

On motion of Mr. Hill,

Ordered, that the Clerk give information to the House of Representatives that the Senate have con-

curred with the vote of the House, and have elected His Excellency Samuel Bell, a Senator in Congress for six years, from and after the third day of March next ; which message was delivered accordingly.

On motion of Mr. Livermore,

The Senate resolved itself into a committee of the whole, Mr. Hoit in the chair, on the bill entitled an act to establish a Corporation by the name of the Salmon Falls Manufacturing Company, and having had the same under consideration, the committee rose and reported the bill with an amendment, which report was accepted—and the bill as amended passed a third reading, and was sent to the House of Representatives for their concurrence in the amendment.

The bill entitled an act to incorporate a Company by the name of the Proprietors of the Mason Cotton Factory, &c. was taken into consideration, read a third time, and enacted.

Presented.

The bill entitled an act, in addition to an act, entitled an act to authorize the Superior Court to empower guardians to sell the real estate of their wards, passed December 24th, 1795, was read a third time, and enacted.

Presented.

On motion of Mr. Huntington, the bill entitled an act, in addition to an act, entitled an act for forming, arranging, and regulating the militia, passed

December 22, 1820, was taken into consideration ; when a motion was made by Mr. Wallace for an indefinite postponement of the same ; and on the question being taken, the yeas and nays were required by Mr. Huntington,

When those who voted in the affirmative, are

Messrs. Boardman,
Kimball,
Hill,
Eastman,
Hoit,
Wallace,
Harvey,
Lord,
Bingham,
Livermore.

And those in the negative,

Messrs. Buzzell,
Huntington.

So the motion prevailed.

The following resolution, submitted by Mr. Hoit, was considered.

Resolved, That a committee be appointed to report a bill for districting the State for the choice of Representatives in the Congress of the United States, and on the question “ shall this resolution pass ?” the Yeas and Nays were required by Mr. Hoit.

When those who voted in the affirmative, are

Messrs. Kimball,
Buzzell,

Messrs. Eastman,
Hoit,
Harvey,
Bingham, and
Livermore.

And those in the negative,
Messrs. Boardman,
Hill,
Wallace,
Lord, and
Huntington.

Yeas 7. Nays 5.

So the motion prevailed.

And Messrs. Hoit, Bingham, and Lord, were
appointed.

Adjourned.

SATURDAY, JUNE 15, 1822.

Met according to adjournment.

Voted, that His Excellency's communication on
the situation and returns of the Banks of this State,
be referred to Messrs. Hill, Wallace and Bingham,
and that they report thereon.

Mr. Eastman submitted the following resolution.

Resolved, That the committee on the Judiciary,
be instructed to inquire if any, and what alterations
are necessary in the existing laws relative to the lia-
bility of towns to support paupers, and to report
thereon by bill or otherwise.

Mr. Hill, for the joint committee appointed to take into consideration the returns of the votes for and against the question whether a new County shall be erected embracing the following towns, viz. Allentown, Bow, Canterbury, Concord, Chichester, Epsom, Northfield, Pembroke, Loudon, and Pittsfield, in the County of Rockingham ; and Andover, Boscawen, Bradford, Dunbarton, Fishersfield, Heniker, Hopkinton, New-London, Salisbury, Sutton, Warner, and Wilmot, in the County of Hillsborough, and the bill on that subject postponed from last session, made the following report. That the committee had examined, and cast the returns of votes for and against a new County ; that returns were received from all the towns named in the resolution of the Senate, except the town of Bradford ; that by these returns there appears to be two thousand three hundred and eighty-nine votes for, and one thousand four hundred and fifteen votes against erecting the proposed new County ; leaving a majority in favor of the proposed new County, of nine hundred and seventy-four votes. The committee also beg leave to report a bill entitled an act to constitute a new County, by the name of *the County of Merrimaack*, which was read and *ordered* to lie on the table.

Mr. Hill obtained leave, and introduced a bill, entitled an act authorizing limited partnerships in certain cases, which on motion was referred to the judiciary committee.

A message was communicated from the House of Representatives by the Assistant Clerk, informing that the House do not concur in the amendment of the Senate to the bill entitled an act to establish a Corporation, by the name of the Salmon Falls Manufacturing Company—which, on motion of Mr. Hoit, was ordered to lie on the table.

A message was received from the House of Representatives by the Assistant Clerk, communicating the petition of the Selectmen of Centre Harbour, and a resolve of the House authorizing and empowering that town to send a Representative to the General Court.

When, on motion of Mr. Livermore, the Senate went into committee of the whole, on the aforesaid resolve, and having considered the same, the committee rose, and Mr. Lord reported the bill without amendment, which report was accepted ; when, on motion of Mr. Hoit, the resolution was ordered to lie on the table.

Mr. Livermore, for the judiciary committee, reported a bill entitled an act, in addition to an act for establishing an equitable method of making taxes, and for ascertaining the powers of Selectmen, passed February, A. D. 1791.

When, on motion, the Senate went into committee of the whole on the said bill, and having considered the same, the committee rose, and Mr. Wallace reported the bill without amendment, which report was accepted ; and the bill ordered to a third

reading, on Monday next, at three o'clock in the afternoon.

Adjourned to three o'clock, Monday, P. M.

MONDAY AFTERNOON, JUNE 17, 1822.

Met according to adjournment.

A vote of the House of Representatives, appointing Messrs. Toppan, Smith of Peterborough, Gordon, Durkee, and Loomis, with such as the Senate may join, a committee to wait on His Excellency Samuel Bell, and inform him of his election, by both branches of the Legislature, a Senator from this State to the Congress of the United States, for the term of six years, from and after the third day of March next ; was read, concurred, and Mr. Hoit joined on the part of the Senate.

The account of Capt. George Stickney, for expenses incurred with his Company of Light Infantry, on the day of the general election—and a resolve of the House of Representatives allowing him forty-two dollars and ninety-five cents therefor ;

And an account of Capt. Joseph Cofran, for the expenses of his Company of Artillery, on that day, and a resolve of the House allowing him twelve dollars and thirty-five cents therefor, were brought up, read, and referred to the standing committee on claims and accounts.

The following resolve was brought up by the Assistant Clerk of the House, read and concurred.

In the House of Representatives, June 17, 1822.

Resolved, That for the purpose of accommodating Capt. Partridge, in exercising and manœuvring his company of Cadets, the Speaker cause the front middle gate to be closed, and that Capt. Partridge be permitted to occupy all of said yard in front of the stone work, excepting the side walks; which are reserved for the members and spectators.

On motion of Mr. Hoit,

The Senate resumed the consideration of the report of the committee on the subject of the new County of Merrimack; when the bill entitled an act to constitute a new County, by the name of the County of Merrimack, reported by the aforesaid committee, passed two readings, and, on motion of Mr. Hill, was referred to a committee of the whole Senate; and made the order of the day, for to-morrow.

A message was received from the House of Representatives by Mr. Durkee, communicating the following bills that had passed the House; and which he presented for the concurrence of the Senate, viz.

An act to incorporate Mount Vernon Lodge, No. 15.

An act to incorporate a Company, by the name of the Proprietors of the Souhegan Factory; which were severally read twice, and referred to the committee on corporations.

Adjourned.

TUESDAY MORNING, JUNE 18, 1822.

Met according to adjournment.

On motion of Mr. Hoit,

The Senate went into committee of the whole, Mr. Hoit in the chair, on the bill entitled an act to constitute a County within this State, by the name of the County of Merrimack; and having had the same under consideration, the committee rose, and reported the bill with amendments; which report was accepted, and the name of the proposed new County, having been on motion of Mr. Livermore, changed from *Merrimack*, to *Rumford*; the bill was ordered to lie on the table.

Adjourned.

TUESDAY AFTERNOON.

Met according to adjournment.

Mr. Lord, for the committee on corporations, to whom was referred the following bills, viz.

An act to incorporate Mount Vernon Lodge, No. 15.

An act to incorporate a Company, by the name of the Proprietors of the Souhegan Factory; reported the same without amendment; which report was accepted, and the aforesaid bills ordered to a third reading, to-morrow, at ten o'clock, A. M.

Mr. Wallace, for the standing committee on claims and accounts, to whom were referred the ac-

count of George Stickney, and the account of Joseph Cofran, and resolves of the House of Representatives accompanying the same, reported said resolves without amendment; which report was accepted.

And the resolve allowing George Stickney, forty-two dollars and ninety-five cents;

And the resolve allowing Joseph Cofran, twelve dollars and thirty-five cents, were severally read and concurred.

Presented.

On motion of Mr. Eastman,

The Senate took into consideration the bill entitled an act to constitute a County within this State, by the name of the County of Rumford; and on the question "shall this bill pass to a third reading?" the yeas and nays were required by Mr. Hill.

When those who voted in the affirmative, are

Messrs. Buzzell,

Hill,

Eastman,

Hoit,

Wallace,

Lord,

Huntington.

And those in the negative,

Messrs. Boardman,

Kimball,

Harvey,

Bingham,

Livermore.

So the motion prevailed ; and the bill was ordered to a third reading, to-morrow morning, at ten o'clock.

Adjourned.

WEDNESDAY MORNING, JUNE 19, 1822.

Met according to adjournment.

Mr. Eastman, for the committee on the Judiciary, to whom was referred the bill entitled an act authorizing limited partnerships in certain cases, reported the same without amendment ; which being read,

On motion of Mr. Hill,

Voted, that the same be referred to a committee of the whole, and made the order of the day for this day.

The bill entitled an act to incorporate a Company, by the name of the Proprietors of the Souhegan Factory, was read a third time, and passed to be enacted.

Presented.

The bill entitled an act to incorporate Mount Vernon Lodge, No. 15, was read a third time, and passed to be enacted.

Presented.

The bill entitled an act to constitute a County within this State, by the name of the County of

Rumford, was read a third time, and passed to be enacted.

Sent down for concurrence.

Mr. Hill, for the committee on the powers of Congress in regard to internal improvement, made the following report.

The committee on so much of the Governor's message, as relates to the powers of Congress touching internal improvement—Report, as the opinion of said committee, that the welfare of the United States depends essentially on a strict adherence to the principles of the Federal and State Constitutions.

That the powers of the General and State Governments are limited ; and can in no case, be transcended with safety, to the Union.

To investigate however, and expound the principles of the Federal Constitution, and define the authority of Congress resulting from it, with regard to any of its legitimate objects, would require more time and labour, than the term of the present session can afford.

But without reference to the extent of constitutional power in the General Government, we are persuaded that the application of revenue to objects of mere internal improvement, or any objects but such as the exigencies of the United States imperiously demand, till the national debt shall have been extinguished, or greatly diminished, would be impolitic and subversive of the true interests of the people.

- The committee therefore recommend the following resolutions.

Resolved, That it is inexpedient at this time, to express any opinion as to the extent of the powers vested in the Congress of the United States, relative to internal improvements.

Resolved, That the Senators and Representatives in Congress, from this State, be requested to oppose the application of revenue to internal improvements, or to any object not imperiously demanded by the exigencies of the General Government, until the national debt shall have been extinguished, or greatly diminished ; which report was, on motion of Mr. Livermore, ordered to lie on the table.

Adjourned.

WEDNESDAY AFTERNOON.

Met according to adjournment.

The report of the committee on the powers of Congress in regard to internal improvements, was taken up and read, when,

On motion of Mr. Livermore,

The Senate resolved itself into a committee of the whole, on the said report, Mr. Wallace in the chair, and having had it under consideration, reported the same without amendment.

The resolves reported were then passed, and the preamble adopted.

Mr. Hoit, for the committee appointed to report a bill for dividing the State into districts for the choice of Representatives to Congress, reported a bill for that purpose, entitled an act for dividing the State into districts for the choice of Representatives to Congress, and prescribing the mode of election, which passed two readings, and was, on motion of Mr. Lord, referred to a committee of the whole Senate, and made the order of the day for to-morrow.

Adjourned.

THURSDAY MORNING, JUNE 20, 1822.

Met according to adjournment.

Mr. Hill, for the committee appointed to take into consideration the propriety of repealing the first section of an act, passed June 27th, 1809, entitled an act in addition to and amendment of an act, entitled an act for the punishment of idle and disorderly persons, for the support and maintenance of the poor; and for designating and defining the powers of the overseers of the poor; reported a bill for that purpose, which was twice read, and referred to a committee of the whole, and made the order of the day for to-morrow.

A message was received from the House of Representatives, by Mr. Tucker, communicating a bill entitled an act for incorporating certain persons by the name of the Proprietors of the Litchfield Social

Library ; which bill was twice read, and referred to the standing committee on corporations to report thereon.

Mr. Hill, for the committee, to whom was referred the communication of His Excellency the Governor, enclosing the returns of the several Banks in this State, reported the following synopsis of the returns of the several Banks in this State, as they existed on the sixth day of May, 1822.

	Amount of Capital paid in.	Value of Real Estate.	Amount of Debts due.	Amount of Specie in the vault.	Amount of bills of other Banks on hand.	Amount of deposits.	Amount of bills in cir- culation.
New-Hampshire Bank,	165,500	33,628.93	*214,947.00	5,712.00	10,243.00	27,772.00	31,521, Old Em.†
New-Hampshire Union Bank,	150,000	5,188.00	194,524.00	7,581.00	4,885.00	20,046.00	27,799, New Em.
Rockingham Bank,	100,000	1,000.00	126,626.50	9,132.52	12,579.07	26,440.72	26,519.00
Portsmouth Bank,	100,000	4,417.93	124,836.32	5,284.05	3,680.15	6,891.29	19,972.00
Exeter Bank,	100,000	4,434.43	113,338.35	13,567.96	9,581.00	4,948.44	28,581.00
N. H. Stafford Bank,	91,936	4,500.00	142,512.61	19,697.56	2,282.00	14,041.58	19,506.00
Cheshire Bank,	102,000	2,054.00	236,845.84	34,474.24	5,040.00	557.11	54,126.00
Concord Bank, S. Sparhawk, Ch'r.	39,100	2,000.00	45,582.52	14,865.97	9,029.00	3,575.99	173,703.00
Concord Bank, G. Kent, Cashier.	60,000	1,500.00	69,813.40	60,382.94	2,574.00	7,986.00	23,739.00
Grafton Bank,	100,000	1,784.44	140,296.41	49,396.64	3,690.50	11,113.73	63,591.00
Total,	1,078,536	60,507.73	1,409,322.95	220,094.88	63,583.72	123,372.86	89,332.75

* This sum includes some bad and some doubtful debts.

† This sum conforms to the Books of the Bank, but it is believed by the Directors, that a large sum in old bills, either lost by fire, errors in accounts, or otherwise, are not in circulation; and if the statement made by the late Cashier, February 13, 1819, be correct, the old bills will amount to \$2915, thus reducing the bad or doubtful debts the sum of \$28,606.

On motion of Mr. Hill,

The Senate went into committee of the whole, Mr. Lord in the chair, on the bill for districting the State for the choice of Representatives to Congress, and prescribing the mode of election, and having spent some time thereon, the committee rose, and reported that they had the aforesaid bill before them, and requested to be discharged from the further consideration of the same, which report was accepted, and the committee discharged accordingly—when, on motion of Mr. Livermore, the bill was recommitted to the committee who reported it.

Adjourned.

THURSDAY AFTERNOON.

Met according to adjournment.

Mr. Hoit, for the committee to whom was referred the bill for dividing the State into districts for the choice of Representatives to Congress, and prescribing the mode of election, reported the same with an amendment ; which report was accepted ; and on the question of passing the bill to a third reading, the yeas and nays were required by Mr. Hoit.

When those who voted in the affirmative, are

Messrs. Kimball,
Buzzell,
Eastman,
Hoit,

Messrs. Harvey,
Bingham,
Livermore.

And those in the negative,
Messrs. Boardman,
Hill,
Wallace,
Lord,
Huntington.

So the bill was ordered to a third reading, and ten o'clock to-morrow morning, assigned therefor.

Mr. Hoit, for the joint committee appointed to wait on His Excellency Samuel Bell, and inform him of his election by both branches of the Legislature, as Senator from this State to the Congress of the United States for the term of six years, from and after the third day of March next; reported that the committee had attended to that duty, and that His Excellency replied in substance as follows:

“ Please to present my most respectful acknowledgments to the Honorable Legislature, for this distinguished proof of their confidence, and assure them that it will be my highest ambition to justify their favourable opinion, and merit the approbation of my fellow-citizens, by a diligent and faithful exertion of whatever powers I possess, in the performance of the duties, which may hereafter devolve upon me, from this appointment.”

The bill reported by the Judiciary Committee, entitled an act in addition to an act, entitled an act for establishing an equitable method of making tax-

es, and for ascertaining the powers of Selectmen, passed February 1791, was considered, and on motion of Mr. Livermore, indefinitely postponed.

On motion of Mr. Hill,

The Senate went into committee of the whole, on the bill entitled an act authorizing limited partnerships in certain cases, and having had the same under consideration the committee rose, and Mr. Eastman reported the bill without amendment; which report was accepted in Senate; when, on motion of Mr. Lord, the bill was laid on the table.

Mr. Lord obtained leave, and presented a bill entitled an act to repeal an act, entitled an act, in addition and amendment of an act for the relief of poor debtors, &c. which was read, and on motion referred to a committee of the whole Senate, and made the order of the day for to-morrow.

Adjourned.

FRIDAY, JUNE 21, 1822.

Met according to adjournment.

A message was received from the House of Representatives by Mr. Knowlton, communicating a bill entitled "an act to divide the second Regiment of Militia in this State," in which the concurrence of the Senate was requested; and the same having passed two readings, was referred to the committee on the militia, to report thereon.

On motion of Mr. Eastman,

The Senate resolved itself into a committee of the whole, on the bill entitled an act, to repeal the first section of an act, entitled an act, in addition to and in amendment of an act, entitled an act for the punishment of idle and disorderly persons, and having had the same under consideration, the committee rose, and Mr. Livermore reported the bill without amendment.

The Senate, agreeably to the order of the day, went into committee of the whole, Mr. Bingham in the chair, on the bill to repeal an act, entitled an act, in addition to and in amendment of an act, entitled an act for the relief of poor debtors, and for regulating appeals from judgments of justices of the peace, passed June 30, 1818; and having had the same under consideration, the committee rose and reported the bill without amendment.

The bill for authorizing limited partnerships, in certain cases, was taken up and read; when, on motion of Mr. Bingham that the same be indefinitely postponed, the yeas and nays were required.

And those who voted in the affirmative, are

Messrs. Boardman,
Kimball,
Buzzell,
Hoit,
Wallace,
Harvey,
Lord,

Messrs. Bingham,
Huntington, and
Livermore.

Those in the negative, are
Messrs. Hill, and
Eastman,
Yeas 10. Nays 2.

So the motion prevailed.

A message was received from the House of Representatives by Mr. Davis, communicating a bill entitled an act, in additton to an act appropriating fines for repairing highways and bridges, passed June 17, 1807, in the passage of which the concurrence of the Senate was requested.

The bill for dividing the State into districts for the choice of Representatives to Congress, and prescribing the mode of election, was taken up, and considered as on a second reading, and on motion was referred to a select committee, consisting of Messrs. Lord, Livermore and Bingham, for amendment.

Mr. Hoit presented the petition of sundry inhabitants of Centre Harbour, praying leave to send a Representative to the General Court, which, together with a resolve of the House of Representatives and the accompanying papers, was referred to Messrs. Hoit, Boardman and Eastman, to report thereon.

Adjourned.

FRIDAY AFTERNOON.

Met according to adjournment.

The bill from the House of Representatives entitled an act, in addition to an act appropriating fines for repairing highways and bridges, passed June 17th, 1807, was read ; and on motion of Mr. Eastman, referred to a committee of the whole Senate, and made the order of the day for this day.

A message was received from the House of Representatives by Mr. Prescott, communicating a bill entitled an act, in addition to an act, entitled an act to incorporate certain persons by the name of the Washington Library, passed June 29th, 1821 ; in which the concurrence of the Senate was requested.

A message was received from the House of Representatives by Mr. Chadwick, communicating the following bills, and requesting the concurrence of the Senate therein, viz.

An act to incorporate certain persons by the name of the Union Musical Society, in Gilford.

An act to confirm and establish the westerly boundary line of the town of Seabrook.

On motion of Mr. Eastman,

The Senate resolved itself into a committee of the whole, on the bill entitled an act, in addition to an act appropriating fines for repairing highways and bridges, passed June 17th, 1807 ; and having had the same under consideration, the committee rose, and Mr. Hill reported the bill without amendment ;

when in Senate, on motion of Mr. Eastman, the bill was ordered to lie on the table.

A message was received from the House of Representatives by Mr. Rogers, communicating the following bills, and requesting the concurrence of the Senate therein, viz.

An act to incorporate sundry persons by the name of the Exeter Mechanic Association.

An act to incorporate the directors of the Noyes School, in Andover.

An act authorizing the Superior Court of Judicature, to appoint auditors in certain cases.

Mr. Hoit, for the standing committee on the militia, to whom was referred a bill entitled an act to divide the second regiment of militia, in this State, reported the same without amendment ; and,

On motion of Mr. Eastman,

The consideration thereof was postponed to Monday next, at three o'clock, in the afternoon.

The bill for authorizing the Superior Court of Judicature, to appoint auditors in certain cases, was read twice, and referred to the standing committee on the judiciary, to report thereon.

The bill to incorporate the directors of the Noyes School, in Andover, was read twice, and referred to the standing committee on corporations to report thereon.

The bill to incorporate sundry persons by the name of the Exeter Mechanic Association, was read twice, and referred to the standing committee on corporations to report thereon.

The bill to incorporate certain persons by the name of the Union Musical Society, in Gilford, was read twice, and referred to the standing committee on corporations to report thereon.

A message was received from the House of Representatives by Mr. Quimby, of Sandwich, communicating a bill entitled an act to incorporate Warner Lodge, No. 35. Also, a bill to incorporate Jonathan Nye and others, into a Society, by the name of Hiram Lodge, No. 9 ; and requesting the concurrence of the Senate thereto.

The bill entitled an act, to confirm and establish the westerly boundary line of the town of Seabrook, was read twice, and referred to the standing committee on corporations to report thereon.

A message was received from the House of Representatives by Mr. Otis, communicating a bill entitled an act, to incorporate certain persons by the name of the Canaan Musical Society. Also, a bill to incorporate the Village Library Society, in Gilmanton ; in which the concurrence of the Senate was requested.

Adjourned.

SATURDAY MORNING, JUNE 22, 1822.

Met according to adjournment.

The bill entitled an act, in addition to an act, entitled an act to incorporate certain persons by the name of the proprietors of the Washington Library,

passed June 29th, 1821 ; was read twice, and referred to the standing committee on corporations to report thereon.

The bill entitled an act to incorporate certain persons by the name of the Village Library Society, in Gilmanton ; and

The bill entitled an act, to incorporate certain persons by the name of the Canaan Musical Society ; and

The bill entitled an act, to incorporate a Musical Society, by the name of the Martin Luther Society, in Boscawen ; and

The bill entitled an act, to incorporate Warner Lodge, No. 35 ; and

The bill entitled an act, to incorporate Hiram Lodge, No. 9 ; were severally read twice, and referred to the standing committee on corporations to report thereon.

A resolve of the House of Representatives that Moses Foss, jun. and others, be allowed a further time of twelve months, from the first day of June, 1822, for the payment of their note due to the State of New-Hampshire, for the sum of eight hundred and thirty-one dollars and eighty cents, interest thereon being paid into the Treasury of this State, to the twenty-first day of June instant, was brought up, read and ordered to lie.

A message was received from the House of Representatives by Mr. Rogers, communicating an address to His Excellency the Governor, for the removal of the Honorable Edward Evans, from his of-

fice of Judge of Probate, for the County of Grafton, and from his office of Notary Public; in the passage of which the concurrence of the Senate was requested. He also informed the Senate that sundry witnesses, who had attended to give evidence to the House of Representatives in the investigation of the charges against said Evans, now waited the order of the Senate.

On motion of Mr. Wallace,

Voted; that said address and the accompanying papers, be referred to a select committee, to report what mode of procedure the Senate shall adopt thereon; and Messrs. Livermore, Bingham and Wallace, were appointed.

A vote of the House of Representatives that Messrs. Loomis, Winkley and Whitman; with such as the Senate might join, be a committee to report at what time the present session of the Legislature may close, was brought up, read and concurred; and Mr. Eastman appointed on the part of the Senate.

A resolve of the House of Representatives that the Treasurer of this State discharge the several outstanding taxes therein enumerated, was brought up, read, and ordered, with the accompanying report and papers, to lie on the table.

Mr. Lord, for the committee to whom was referred the bill for dividing the State into Districts for the choice of Representatives to the Congress of the United States, and prescribing the mode of election,

reported the same with the following amendments, which were,

Erase in that part of the second section which specifies the towns that constitute the Hillsborough District, the words "Goshen, Nelson, Stoddard, Washington," and insert the words "Dublin, Jaffrey, Springfield;" and in that part of the second section, naming the towns constituting the Cheshire District, erase the words "Dublin, Jaffrey, Springfield," and insert the words "Goshen, Nelson, Stoddard, Washington."

When Mr. Wallace moved that the second section be further amended, by erasing the word "*Weare*" from the part of it constituting the Merrimack District, and inserting it in the part forming the Hillsborough District, and erasing the word Hopkinton, from the part composing Hillsborough District, and inserting it in that which constitutes Merrimack District; which motion prevailed, and all the several amendments were adopted.

And on the question shall this bill be engrossed and pass to a third reading, the yeas and nays were required.

When those who voted in the affirmative, are

Messrs. Kimball,
Eastman,
Harvey,
Livermore,
Buzzell,
Hoit,
Bingham.

And those in the negative,
Messrs. Boardman,
Wallace,
Huntington,
Hill,
Lord.

Yeas 7. Nays 5.

So the question was determined in the affirmative, and the bill ordered to a third reading, at three o'clock, on Monday next.

On motion of Mr. Livermore,

Ordered, that the committee appointed to report a mode of procedure to be adopted by the Senate in considering the address passed by the House for the removal of Edward Evans, from the offices of Judge of Probate, and of Notary Public, be discharged from that duty.

When the following resolution was submitted by Mr. Livermore.

Resolved, That the charges against the Judge of Probate for the County of Grafton, reported to the House of Representatives, by a committee of the whole of that body, whatever cause they may furnish for an impeachment, do not form a basis for an address to the Governor for the removal of a Judicial Officer from his office.

And on the question, shall this resolution pass? the yeas and nays were required.

When those in the affirmative, are

Messrs. Boardman,
Buzzell,
Hoit,
Lord,
Kimball,
Eastman,
Wallace,
Bingham,
Huntington,
Livermore.

And those in the negative,

Messrs. Hill, and
Harvey.

Yeas 10. Nays 2.

So the resolution passed.

Mr. Eastman then moved that the Senate do concur in the address of the House to His Excellency the Governor, for the removal of the Honorable Edward Evans, from his office of Judge of Probate for the County of Grafton, and from his office of Notary Publick ; which motion was decided in the negative, and information thereof communicated to the House.

Adjourned.

MONDAY, JUNE 24, 1822.

Met according to adjournment.

The bill, entitled an act to divide the second Regiment of Militia, in this State, was read a third time and passed to be enacted.

Mr. Hoit, for the committee to whom was referred the petition of sundry inhabitants of the town of Centre Harbour, and a resolve of the House of Representatives granting liberty to said town to send a Representative to the General Court, reported that the passage of said resolve should be concurred in by the Senate; which resolve was then read and concurred.

A message was received from the House of Representatives by Mr. Keith, communicating for the concurrence of the Senate, the following bills, viz.

An act regulating suits on bonds given to a Judge of Probate, and directing the manner in which such bonds may be taken :

An act regulating the settlement and distribution of insolvent estates :

An act for the devising of real estate, the attestation, filing and recording of wills, in certain cases, and the distribution of testate estates :

An act for the descent and distribution of intestate estates :

An act authorizing and regulating appeals from the decisions of a Judge of Probate :

An act empowering the several judges of Probate to license executors, administrators and guardians to sell real estate in certain cases, and for perpetuating the evidence of such sales : and

An act defining the jurisdiction, powers and duties of a Judge of Probate, and the duties, exemptions and liabilities of executors, administrators, and

guardians, in certain cases ; which bills were severally read twice, and referred to a committee of the whole Senate, and made the order of the day for to-morrow.

The bill, entitled an act for dividing the State into districts for the choice of Representatives to Congress, and prescribing the mode of election, was read a third time, passed to be enacted, and sent down for concurrence.

A resolve of the House of Representatives, that the Trustees of New-Hampton Academy, receive at the expense of this State, one of Carrigain's Maps of the State of New-Hampshire, and if there are none belonging to the State, that they receive one of the proprietor and author, who shall be allowed a reasonable compensation therefor, was brought up, read and concurred.

A resolve of the House of Representatives, that the Quarter-Master General be authorized and empowered to furnish at the expense of the State, a harness for the Artillery Company attached to the twenty-ninth regiment, and deliver the same to the Quarter-Master of said Regiment, was brought up, read, and referred to the standing committee on the militia, to report thereon.

A resolve of the House of Representatives, that the Commissary General of this State, have and receive out of the Treasury of this State, the sum of forty dollars, as a salary, from June 1822 to June 1823, was brought up, read, and referred to the standing committee on the militia, to report thereon.

A resolve that the Adjutant-General have and receive out of the Treasury of this State, the sum of four hundred dollars, as a salary, from June 1822 to June 1823, was brought up, read, and referred to the standing committee on the militia, to report thereon.

A resolve of the House of Representatives establishing the Governor's salary :

A resolve establishing the salary of the Treasurer of this State :

A resolve establishing the salary of the Attorney-General of this State :

A resolve establishing the salary of the Secretary of this State : and

A resolve establishing the compensation of the Council, Members of the Legislature, Clerks, &c. were brought up, read, and referred to Messrs. Hoit, Kimball and Buzzell, to report thereon.

A message was received from the House of Representatives by Mr. Foster, communicating for the concurrence of the Senate, a bill, entitled an act to repeal certain acts therein mentioned ; which bill was read twice, and referred to a committee of the whole Senate, and made the order of the day for to-morrow.

Mr. Livermore, for the committee to whom were referred the bill for incorporating certain persons by the name of the proprietors of the Litchfield Social Library :

The bill to incorporate certain persons by the name of the Village Library Society, in Gilmanton :

The bill to incorporate sundry persons by the name of the Exeter Mechanic Association :

The bill to incorporate certain persons by the name of the Canaan Musical Society :

The bill to confirm and establish the westerly boundary line of the town of Seabrook :

The bill to incorporate Hiram Lodge, No. 9 :

The bill to incorporate certain persons by the name of the Union Musical Society, in Gilford :

The bill to incorporate Warner Lodge, No. 35 :

The bill to incorporate a Musical Society, by the name of the Martin Luther Society, in Boscawen :

The bill in addition to an act, entitled an act to incorporate certain persons by the name of the proprietors of the Washington Library, passed June 29th, 1821, reported the same without amendment ; which report was accepted, and the aforesaid bills having respectively passed a second, were ordered to a third reading, to-morrow morning at ten o'clock.

Adjourned.

TUESDAY MORNING, JUNE 25, 1822.

Met according to adjournment.

On motion of Mr. Livermore,

The committee on Corporations were discharged from the consideration of the bill, entitled an act to incorporate the Directors of the Noyes School,

in Andover, and on his motion the bill was referred to a committee of the whole Senate ; when, having had the same under consideration, the committee rose, and Mr. Bingham reported that they had made some progress therein, and requested leave to sit again, which was granted, and the bill made the order of the day for to-morrow.

The following bills, viz.

An act to incorporate certain persons by the name of the Village Library Society, in Gilmanton :

An act to incorporate Warner Lodge, No. 35 :

An act for incorporating certain persons by the name of the Proprietors of the Litchfield Social Library :

An act to incorporate certain persons by the name of the Union Musical Society, in Gilford :

An act to incorporate a Musical Society, by the name of the Martin Luther Society, in Boscawen :

An act in addition to an act, entitled an act to incorporate certain persons by the name of the Proprietors of the Washington Library, passed June 29th, 1821 :

An act to incorporate Hiram Lodge, No. 9 :

An act to incorporate certain persons by the name of the Canaan Musical Society :

An act to incorporate sundry persons by the name of the Exeter Mechanic Association : and

An act to confirm and establish the westerly line of the town of Seabrook ; were severally read a third time and passed to be enacted.

Presented.

The bill, entitled an act, in addition to an act appropriating fines for repairing highways and bridges, passed June 17, 1807, was called up, and read, and,

On motion of Mr. Eastman

That the same be indefinitely postponed, the yeas and nays were required.

Those who voted in the affirmative, were

Messrs. Boardman,
Kimball,
Hill,
Eastman,
Hoit,
Harvey,
Bingham,
Huntington,
Livermore.

In the negative,

Mr. Wallace.

Yeas 9. Nays 1.

Mr. Hoit, for the committee to whom were referred the resolves establishing the salaries of the Adjutant and Commissary Generals, reported the same without amendment.

Mr. Hoit, for the committee to whom were referred the several resolves making provision for the civil list for the current year, reported the same without amendment.

The resolves establishing the Governor's salary at the sum of twelve hundred dollars ; and the Treasurer's salary at the sum of six hundred dollars, were severally read and concurred.

The resolve establishing the Secretary's salary at the sum of three hundred dollars, was read ; when Mr. Livermore moved that the same be amended by striking out the word *three* and inserting the word *four*, which motion did not prevail. The resolve was then concurred.

The resolve establishing the compensation of the Honorable Council, Senate and House of Representatives, and the Clerks, was read and concurred.

The resolve establishing the salary of the Attorney-General at the sum of eight hundred dollars, was read, when

Mr. Hill moved the following amendment ; " which sum shall be in full compensation for all services;" when the said resolution, was on motion ordered to lie on the table.

A message was received from the House of Representatives by Mr. Foster, giving information that the House were ready to meet the Senate in Convention, to proceed in the elections agreeably to the order of the day.

Voted, to meet the House forthwith

IN CONVENTION.

On motion of Mr. Toppan,
Proceeded to the election of a Commissary Gen-

eral, and Robert Neal, jr. was chosen, when the Convention rose.

IN SENATE.

Adjourned.

Met according to adjournment.

Mr. Buzzell obtained leave and presented a bill, entitled an act to alter and amend an act, entitled an act regulating fees and repealing certain acts relative to the same, passed December 23d, 1820, which passed two readings, and was on his motion referred to the committee on the judiciary, to report thereon.

A message was received from the House of Representatives by the Assistant Clerk, presenting a communication of His Excellency the Governor, exhibiting a report of the Adjutant General, and the annual return of the militia, and the return of the Commissary General of the military stores belonging to the State, in the public arsenal, at Portsmouth, which were read, and referred to the committee on the militia, to report thereon.

A message was received from the House of Representatives presenting a communication of His Excellency the Governor, together with the report and statement of the Warden of the State Prison, relative to the receipts and profits, expenses and disbursements, and the general concerns of that insti-

tution, for the year ending May 31, 1822, which were read and laid on the table.

Resolves allowing John W. Weeks, twelve dollars and eighty cents :

Benjamin Pierce, five dollars and eighteen cents :

William Badger, five dollars and eight cents :

Clement Storer, six dollars ; and

Amos A. Brewster, six dollars ; were brought up, read, and referred to the committee on claims and accounts.

A resolve of the House of Representatives that Moses Foss, jun. and others, be allowed a further time of twelve months, from the first day of June, 1822, for the payment of their note due to the State of New-Hampshire, for the sum of eight hundred and thirty-one dollars and eighty cents, interest thereon being paid into the Treasury of this State, to the twenty-first day of June instant, was brought up, read and concurred.

Adjourned.

WEDNESDAY, JUNE 26, 1822.

Met according to adjournment.

Mr. Wallace, with permission of the Senate, presented a bill, entitled an act establishing the law of the road ; which passed two readings, and was on motion of Mr. Eastman, referred to a committee of the whole Senate, and made the order of the day for this day.

A message was received from the House of Representatives, by Mr. Bean, communicating for the concurrence of the Senate, the following bills, namely.

An act extending the powers of the Justices of the Superior Court of Judicature, in certain cases:

An act in addition to an act, entitled an act to authorize towns to make bye-laws, to prevent horses, mules, jacks, neat cattle, &c. &c. from going at large, passed June 17, 1811; which bills were severally read twice, and referred to the standing committee on the judiciary, to report thereon.

A message was received from the House of Representatives by Mr. Clark, communicating the following bills for the concurrence of the Senate, viz.

A bill, entitled an act to incorporate sundry persons by the name of the President, Directors and Company of the Claremont Bank :

An act to incorporate a Musical Society, in the town of Amherst : and

An act to establish a line between the two companies of militia, in the town of Wakefield.

Mr. Livermore presented the petition of Thomas F. Odell and others, praying for the establishment of a Bank at Conway ; which was read, and referred to the standing committee on corporations, to report thereon.

The bill to incorporate a Musical Society, in the town of Amherst, was read twice, and referred to

the standing committee on corporations, to report thereon.

The bill to establish a line between the two companies of militia, in the town of Wakefield, was read twice, and referred to the standing committee on the militia, to report thereon.

The bill, entitled an act to incorporate sundry persons by the name of the President, Directors and Company of the Claremont Bank, was read twice, and referred to the committee on corporations, to report thereon.

A message was received from the House of Representatives by Mr. Rix, of Littleton, communicating the following bills for the concurrence of the Senate, viz.

An act to incorporate the town of Hookset :

An act to incorporate Mount Lebanon Lodge, No. 32; and

An act to create a corporation by the name of the Trustees of Donations for the support of Public Worship, in Salisbury village ; passed two readings, and were referred to the committee on corporations, to report thereon.

Mr. Lord, for the committee to whom was referred the bill, entitled an act to incorporate a Musical Society, in the town of Amherst, reported the same without amendment ; which report was accepted, and three o'clock this afternoon assigned for a third reading of the same.

An address to His Excellency the Governor for the removal of Enoch Titcomb, and certain other

officers of the militia, from their respective offices, for having removed out of the limits of their command, was brought up from the House of Representatives, read and referred, together with the accompanying petitions and papers, to the standing committee on the militia, to report thereon.

A resolve of the House of Representatives allowing Benjamin H. Weeks, twenty dollars in full of his account, was brought up, read and referred to the standing committee on claims and accounts, to report thereon.

Mr. Hoit, for the committee to whom was referred the following address for the removal of Enoch Titcomb, and certain other officers of the militia from their respective offices, reported the same without amendment ; which report was accepted, and the said address read and passed.

To His Excellency Samuel Bell, Captain-General and Commander in Chief of the Militia of the State of New-Hampshire.

The Senate and House of Representatives of said State, in General Court convened, respectfully represent to your Excellency, that the following officers who have been duly commissioned in the militia of said State, have removed and gone without the limits of their respective commands, without having resigned their commissions ;—namely, Enoch Titcomb, Lieut. of the sixth Company of Infantry, in the third Regiment ; William Hook, first Lieutenant of the Company of Cavalry, and

Amos Paul, Captain of the third Company of Infantry, in the fourth Regiment; Gideon Blake, Lieutenant of the eighth Company of Infantry, in the fourteenth Regiment; John Moore, Lieutenant of the fourth Company of Infantry, in the fifteenth Regiment; Rawson Angier, Cornet of the Company of Cavalry, in the sixteenth Regiment; David Stewart, Ensign of the fifth Company of Infantry, in the twentieth Regiment; Daniel Brooks, Ensign of the eighth Company of Infantry, in the twenty-seventh Regiment; Benjamin Emery, Captain of the Company of Artillery, and James West, Lieutenant of the third Company of Infantry, in the thirty-eighth Regiment; and Miles Burnham, Captain of the fifth Company in the eighteenth Regiment. The Senate and House of Representatives therefore request that the aforesaid officers may be removed from their respective commands, agreeably to the provisions of the constitution.

Adjourned.

WEDNESDAY AFTERNOON.

Met according to adjournment.

On motion,

The Senate went into committee of the whole, Mr. Hill in the chair, on the bill to incorporate the Directors of the Noyes School, in the town of Andover, and having had the same under consideration, the committee rose and reported the bill with

an amendment (in substance) that the Institution shall hold five thousand dollars free from taxation, instead of fifteen thousand dollars, as in the present bill ; which was adopted ; and the bill as amended, ordered to a third reading, at three o'clock this afternoon.

Mr. Livermore, for the committee to whom was referred the bill, entitled an act to authorize towns to make bye-laws to prevent horses, mules, jacks, and neat cattle, &c. from going at large, passed June 17th, 1811, reported the same without amendment ; which report was accepted ; and the bill ordered to a third reading at three o'clock this afternoon.

Mr. Wallace, for the committee to whom were referred, with the accompanying papers, the following resolves from the House of Representatives, passed in payment of the accounts of the sheriffs of the respective counties for returning the votes for State Officers, viz.

A resolve allowing William Badger, five dollars and eight cents :

A resolve allowing Clement Storer, six dollars :

A resolve allowing John W. Weeks, twelve dollars and eighty cents :

A resolve allowing Amos A. Brewster, six dollars : and

A resolve allowing Benjamin Pierce, five dollars and eighteen cents ; reported the same without amendment ; which resolves were severally read and concurred.

The Senate resolved itself into a committee of the whole, Mr. Livermore in the chair, on the bill, entitled an act for the descent and distribution of Intestate Estates, and having had the same under consideration, the committee rose, and reported the bill without amendment ; which report was accepted, and the bill ordered to a third reading to-morrow, at ten o'clock.

The Senate went into committee of the whole, Mr. Eastman in the chair, on the bill, entitled an act for the devising of Real Estate, the attestation, filing and recording of Wills in certain cases, and the distribution of testate estates ; and having had the same under consideration, the committee rose and reported the bill without amendment ; which bill was ordered to a third reading, at ten o'clock to-morrow morning.

The Senate went into committee of the whole, Mr. Hoit in the chair, on the bill, entitled "*an act regulating the settlement and distribution of Insolvent Estates,*" and having spent some time therein, the committee rose and reported the bill with amendments ; which report was accepted and the amendments adopted by the Senate ; and the bill as amended, viz. to strike out the proviso to the first clause in the first section, containing the following words, viz.—(*And provided further that no Estate shall be represented Insolvent, until nine calendar months from the grant of administration thereon.*) And after the succeeding word,

And the first word in the next sentence ;—to add the following, *where any estate shall be represented insolvent* ; and in the ninth line of the second section to strike out the words “ *due or* ” and to add the following words to the eighth section, provided such creditor shall have had notice of the dividend, within six months after the same shall have been decreed ; was ordered to a third reading, at ten o'clock to-morrow morning.

On motion of Mr. Livermore,

The Senate resolved itself into a committee of the whole, Mr. Bingham in the chair, on the bill, entitled an act empowering the several Judges of Probate to license executors, administrators, and guardians, to sell Real Estate in certain cases, and for perpetuating the evidence of such sales ; and having had the same under consideration, the committee rose and reported the bill without amendment ; which report was accepted, and the bill ordered to a third reading, to-morrow morning at ten o'clock.

Adjourned.

THURSDAY, JUNE 27, 1822.

Met according to adjournment.

Mr. Lord, for the committee to whom was referred the petition of Thomas F. Odell and others, praying for an act of incorporation for a Bank in Conway, reported that the prayer of the petition be

so far granted that the petitioners have leave to bring in a bill ; which report was accepted.

Mr. Lord, for the committee to whom were referred the bill, to incorporate the town of Hookset ; the bill to incorporate sundry persons by the name of the President, Directors and Company of the Claremont Bank ; the bill to incorporate Mount Lebanon Lodge, No. 32 ; and the bill to create a corporation by the name of the Trustees of Donations for the support of Public Worship in Salisbury village, reported the same without amendment.

The bill to incorporate the town of Hookset, was read a second time, and ordered to a third reading, at three o'clock this afternoon.

The bill to repeal the first section of an act, entitled an act, in addition to and in amendment of an act, entitled an act for the punishment of idle and disorderly persons, was again read, when, Mr. Boardman moved the following amendment.

“ SECT. 2. *And be it further enacted*, That where any person not an inhabitant of any town, or place, in this State, nor by the laws thereof the proper charge of any town or place in the same, shall stand in need of relief, the selectmen, or overseers of the poor of the town, or place, where such poor person may be, shall relieve and maintain such person, and shall within one year from the time of affording such relief, or within six months after the termination of any suit, which may have been commenced within the said term of one year, against any town or per-

son for the recovery of the claim for the relief so afforded, lay the account thereof before the Justices of the Court of Sessions for the county in which such town or place lies ; and the said Justices shall examine such account and adjust the same, and shall certify such sum, as they shall think proper to allow, to the Governor for the time being, who is hereby authorized, with the advice of council, to draw an order for the payment of the same out of the treasury of the State."

On the question of adopting this amendment, the yeas and nays were required by Mr. Boardman.

Those who voted in the affirmative, were

Messrs. Boardman,

Buzzell,

Kimball,

Huntington, and

Livermore.

Those in the negative,

Messrs. Hill,

Eastman,

Hoit,

Wallace,

Harvey,

Lord, and

Bingham.

Yeas 5. Nays 7.

So the motion did not prevail.

Mr. Hill moved that the bill pass a third reading

at ten o'clock to-morrow morning ; which motion did not prevail,

A message was received from the House of Representatives by Mr. Hoit, communicating a bill, entitled an act altering the name and style of the Keene Engine Company ; in the passage of which, the concurrence of the Senate was requested ; and the bill having passed two readings, was referred to the standing committee on corporations, to report thereon.

The bill, to incorporate sundry persons by the name of the President, Directors and Company of the Claremont Bank, was read a second time, and ordered to a third reading, at three o'clock this afternoon.

The bill, to incorporate Mount Lebanon Lodge, No. 32, was read a second time, and ordered to a third reading, at three o'clock this afternoon.

The bill, entitled an act to create a Corporation, by the name of the Trustees of Donations for the support of Public Worship in Salisbury village, was read, and ordered to a third reading, at three o'clock this afternoon.

The bill, entitled an act regulating the settlement and distribution of Insolvent Estates, was read a third time and enacted, with amendments, and returned to the House of Representatives for their concurrence in said amendments.

The bill, entitled an act for the devising of real

estate, the attestation, filing and recording of Wills in certain cases, and the distribution of testate estates : and

The bill, entitled an act for the descent and distribution of intestate estates : and

The bill, entitled an act empowering the several Judges of Probate to license executors, administrators and guardians, to sell Real Estate in certain cases, and for perpetuating the evidence of such sales ; were severally read a third time and enacted.

The bill, entitled an act to incorporate the Directors of the Noyes School, in the town of Andover, was read a third time and passed to be enacted, with an amendment, and returned to the House of Representatives for their concurrence in said amendment.

On motion,

The Senate went into committee of the whole, Mr. Lord in the chair, on the bill, entitled an act defining the jurisdiction, powers, and duties of a Judge of Probate, and the duties, exemptions and liabilities of executors, administrators and guardians, in certain cases ; and having had the same under consideration, the committee rose and reported the bill with amendments ; which report was accepted, and the bill ordered to a third reading, at three o'clock this afternoon.

Adjourned.

THURSDAY AFTERNOON.

Met according to adjournment.

Mr. Lord, for the committee to whom was referred the bill, entitled an act altering the name of the Keene Engine Company, reported the same without amendment, which bill was ordered to a third reading, to-morrow morning at nine o'clock.

The bill, entitled an act to create a corporation by the name of the Trustees of Donations for the support of Public Worship, in Salisbury village, was read a third time and enacted.

The bill, entitled an act to incorporate Mount Lebanon Lodge, No. 32, was read a third time and enacted.

The bill, entitled an act to incorporate a Musical Society, in the town of Amherst, was read a third time and enacted.

The bill, entitled an act, in addition to an act, entitled an act to authorize towns to make bye-laws, to prevent horses, mules, jacks, neat cattle, &c. from going at large, passed June 17, 1811, was read a third time and enacted.

The Senate resumed the consideration of the bill, entitled an act to incorporate the town of Hookset ; when the following amendment was moved by Mr. Hill, that the fourth section be expunged ; and the following substituted.

SECTION 4. *And be it further enacted, That*

said town of Hookset, shall be, and hereby is annexed to, and considered a part of the County of Hillsborough ; and that said town be annexed to Senatorial District No. 3 ; and to the ninth Regiment of Militia, in this State ; which amendment was agreed to ; and the bill as amended, read a third time and enacted.

Mr. Livermore, for the Judiciary Committee, to whom were referred the bill, entitled an act authorizing the Superior Court of Judicature to appoint auditors in certain cases :

And the bill, entitled an act extending the powers of the Justices of the Superior Court of Judicature, in certain cases ; reported that the further consideration of said bills be postponed to the next session of the Legislature ; when, on motion of Mr. Wallace, the said bills were ordered to lie on the table.

Mr. Livermore, for the same committee requested that they might be discharged from the further consideration of the act, entitled an act to alter and amend an act, entitled an act regulating fees, and repealing certain acts relative to the same, passed December 23, 1820, and the bill referred to a committee of the whole Senate, and made the order of the day for to-morrow ; which was granted ; and the committee discharged accordingly.

A resolve of the House of Representatives, that the Quarter-Master General be authorized and em-

powered to furnish at the expense of the State, a harness for the Artillery Company, attached to the twenty-ninth Regiment, and deliver the same to the Quarter-Master of said Regiment, was brought up, read, and concurred.

The bill, entitled an act to establish a line between the two companies of militia, in the town of Wakefield, passed a second reading, and was ordered to be read a third time, at ten o'clock to-morrow morning.

The Senate resolved itself into a committee of the whole, Mr. Hill in the chair, on the bill, entitled an act regulating suits on Bonds, given to a Judge of Probate; and directing the manner in which said Bonds may be taken; and having had the same under consideration, the committee rose and reported the bill without amendment; which report was accepted, and the bill ordered to a third reading, at ten o'clock to-morrow morning.

The Senate went into committee of the whole, Mr. Hoit in the chair, on the bill, entitled an act authorizing and regulating appeals from the decisions of a Judge of Probate, and having had the same under consideration, reported the same without amendment; which report was accepted, and the bill ordered to a third reading to-morrow, at ten o'clock, A.M.

On motion of Mr. Livermore,
The Senate resolved itself into a committee of the

whole, Mr. Wallace in the chair, on the bill, entitled an act to repeal certain acts therein mentioned; and having had the same under consideration, the committee rose and reported the bill without amendment; which report was accepted, and the bill ordered to a third reading at ten o'clock to-morrow morning.

The Senate resumed the consideration of the bill, entitled an act defining the jurisdiction, powers and duties of a Judge of Probate, and the duties, exemptions and liabilities of executors, administrators and guardians, in certain cases; when the following amendments of the committee of the whole, were agreed to, viz. In 29th section, 6th line, after the word *estate*, strike out these words, "*notwithstanding the incumbrance of the widow.*" And in the 7th line of the same section, strike out the word *her*, and insert the word *the*; and in the 8th line, strike out the word *same*, and insert the word *dower*; and the bill, as amended, was read a third time and passed, and returned to the House for concurrence in the amendments.

Mr. Livermore, for the committee to whom was referred the bill, in addition to the act regulating the mode of conveyance by deed, reported the same without amendment; which report was accepted, and the bill ordered to a third reading at ten o'clock to-morrow morning.

The bill, to repeal an act, entitled an act, in addition to and in amendment of an act for the relief

of poor debtors, &c. was taken up ; and on motion of Mr. Eastman, that the same be indefinitely postponed, the yeas and nays were required.

When those who voted in the affirmative, are

Messrs. Boardman,
Hill,
Hoit,
Huntington,
Buzzell,
Eastman,
Harvey,
Livermore.

Those in the negative,

Messrs. Kimball,
Lord,
Wallace,
Bingham.

Yeas 8. Nays 4.

So the motion prevailed.

The Senate went into committee of the whole, Mr. Kimball in the chair, on the bill, entitled an act establishing the law of the road ; and having had the same under consideration, the committee rose and reported the bill with amendments ; which were adopted, and to-morrow morning, at ten o'clock, assigned for the third reading thereof.

Mr. Wallace, for the committee to whom was referred the resolve of the House, allowing Benjamin H. Weeks twenty dollars in full of his account,

reported the same without amendment ; which resolve was read and passed.

A resolve of the House of Representatives, that the Adjutant-General be authorized to dismiss an action against Evi Pierce, late Colonel of the 6th Regiment, was brought up, and with the petition read and referred to the standing committee on the militia, to report thereon.

A resolve of the House of Representatives making appropriations for the purchase of musical instruments, for the militia, and for other military purposes ; was brought up, read and referred to the standing committee on the militia, to report thereon.

A resolve of the House of Representatives allowing Robert Neal, jr. Commissary-General, one hundred and ninety dollars and ninety-eight cents, in full of his account, was brought up, read and referred to the standing committee on the militia, to report thereon.

Resolves of the House of Representatives allowing David Sleeper, ten dollars and forty-four cents ; Henry Currier, thirteen dollars and eighty cents ; Lemuel Holt, fourteen dollars and ninety-two cents ; Daniel Gile, thirteen dollars and eighty cents ; Nathan Currier, thirteen dollars and eighty cents ; Richard Currier, thirteen dollars and eighty cents ; Elijah Blaisdell, twenty-nine dollars and twenty-eight cents ; Moses Eastman, six dollars and twenty cents ; Abner Poland, twenty-four dollars and sixty cents ; Samuel Rice, thirteen dollars and eighty cents ; Thomas H. Pettingill, five dollars and

twenty cents ; James Willis, thirteen dollars and eighty cents ; Abigail Follansbee, thirteen dollars and eighty cents ; James Morse, thirteen dollars and eighty cents ; Timothy Sanborn, thirteen dollars and eighty cents ; and Moses Dow, sixteen dollars and twenty cents, as compensation for their travel and attendance as witnesses, in the investigation of the official conduct of Edward Evans, Judge of Probate for the County of Grafton ; were brought up, read and referred to the standing committee on claims and accounts.

Adjourned.

FRIDAY MORNING, JUNE 28, 1822.

Met according to adjournment.

Mr. Huntington, with leave, presented the petition of Diarca Allen, and eighteen other members of the Legislature of the County of Grafton, praying for the removal, by address, of Edward Evans, Judge of Probate for the County of Grafton, from his said office, and from the office of Notary Public ; which was read, and ordered to lie on the table.

Mr. Hoit, for the committee to whom were referred the resolve authorizing the Adjutant-General to dismiss an action commenced against Evi Pierce, Col. of the sixth Regiment, reported the same without amendment ; which resolve was read and concurred.

Mr. Hoit, for the committee to whom was refer-

red the resolve making appropriations for the purchase of musical instruments, and for other military purposes, reported the same without amendment ; which resolve was read and concurred.

The bill, entitled an act authorizing and regulating appeals from the decisions of a Judge of Probate :

The bill, entitled an act regulating suits on bonds given to a Judge of Probate, and directing the manner in which such bonds may be taken :

The bill, entitled an act altering the name and style of the Keene Engine Company :

The bill, entitled an act to repeal certain acts therein mentioned : and

The bill, entitled an act to establish a line between the two companies of militia, in the town of Wakefield ; were severally read a third time, and enacted.

Presented.

The bill, entitled an act establishing the law of the road : and

The bill, entitled an act, in addition to and in amendment of an act declaring the mode of conveyance by deed, passed the 10th day of February, A. D. 1791 ; were severally read a third time and passed, and sent down for concurrence.

Mr. Hoit, for the committee to whom was referred the resolve allowing the Commissary-General forty dollars as a salary from June 1822 to June 1823 :

And the resolve allowing him one hundred and ninety dollars and ninety eight cents, in full of his account :

And the resolve, allowing the Adjutant-General four hundred dollars, as a salary from June 1822 to June 1823, reported the same without amendment.

And the said resolves were severally read, and concurred.

On motion of Mr. Eastman,

The Senate reconsidered the vote of concurrence in the bill from the House of Representatives, entitled an act to establish a line between the two companies of militia in the town of Wakefield ; when Mr. Eastman moved the following amendment to the bill, viz. to strike out after the word *beginning*, in the third line, these words, viz. At Brookfield line, near the dwelling house of Robert Pike, in said Brookfield, and insert the following, viz. At the dwelling house of Robert Pike, on, or near the divisional line between said Wakefield and Brookfield ; which was agreed to, and the bill returned to the House for concurrence in the amendment.

Mr. Wallace, for the committee to whom was referred that part of the communication of His Excellency the Governor, relative to the encouragement of agriculture, and domestic manufactures, reported a resolve, which was read ; when, on motion, the Senate went into committee of the whole, Mr. Wallace in the chair, on the said resolution ; and having had the same under consideration, the com-

mittee rose and reported the resolution without amendment, which report was accepted; and on passing the same in the Senate, the yeas and nays were required by Mr. Hoit.

When those who voted in the affirmative, are

Messrs. Boardman,

Kimball,

Hill,

Eastman,

Hoit,

Wallace,

Harvey,

Lord,

Bingham,

Huntington,

Livermore.

And in the negative,

Mr. Buzzell.

So the resolution passed, and was sent down for concurrence.

Mr. Wallace, for the committee to whom were referred the following resolves from the House of Representatives, viz.

A resolve allowing Timothy Sanborn, thirteen dollars and eighty cents :

A resolve allowing Lemuel Holt, fourteen dollars and ninety-two cents :

A resolve allowing James Willis, thirteen dollars and eighty cents :

A resolve allowing Nathan Currier, thirteen dollars and eighty cents :

A resolve allowing David Sleeper, ten dollars and forty-four cents :

A resolve allowing Thomas H. Pettengill, five dollars and twenty cents :

A resolve allowing Richard Currier, thirteen dollars and eighty cents :

A resolve allowing Abner Poland, twenty-four dollars and sixty cents :

A resolve allowing Abigail Follansbee, thirteen dollars and eighty cents :

A resolve allowing Elijah Blaisdell, twenty-nine dollars and twenty-eight cents :

A resolve allowing Moses Dow, sixteen dollars and twenty cents :

A resolve allowing Moses Eastman, six dollars and twenty cents :

A resolve allowing Samuel Rice, thirteen dollars and eighty cents :

A resolve allowing Henry Currier, thirteen dollars and eighty cents :

A resolve allowing Daniel Gile, thirteen dollars and eighty cents : and

A resolve allowing James Morse, thirteen dollars and eighty cents ; reported the same without amendment ; and said resolves were severally read and concurred.

A resolve of the House of Representatives allowing William Williams, jr. thirteen dollars and eigh-

ty cents, in full for travel and attendance as a witness, in the case of Edward Evans, Judge of Probate, was brought up, read, and referred to the standing committee on claims and accounts, to report thereon.

Adjourned.

FRIDAY AFTERNOON.

Met according to adjournment.

Mr. Wallace, for the committee to whom was referred the resolve of the House of Representatives allowing William Williams, jr. thirteen dollars and eighty cents, in full for travel and attendance as a witness in the case of Edward Evans, Judge of Probate, reported said resolve without amendment; which report was accepted, and the resolve read and concurred.

On motion of Mr. Livermore;

The Senate resumed the consideration of the petition of the Representatives of the County of Grafton, on the character and unfitness of Edward Evans, Judge of Probate for that County, and praying for his removal, by address, from said office; which was read, and referred to Messrs. Livermore, Hill, Bingham, Eastman and Wallace, to report thereon.

A message was received from the House of Representatives by Mr. Appleton, communicating a bill

for the concurrence of the Senate, entitled an act creating the office and providing for the appointment of Corn and Grain Measurers in the town of Portsmouth ; which bill was twice read, and referred to the standing committee on the judiciary.

A resolve of the House of Representatives appropriating the sum of two hundred and fifty dollars, for the purpose of promoting the interest of agriculture and domestic manufactures, was brought up, read, and ordered to lie on the table.

A resolve of the House of Representatives, that His Excellency the Governor, be requested to appoint some suitable person to preach the next election sermon, was brought up, read and concurred.

A message was received from the House of Representatives by Mr. Sherburne, communicating a bill, entitled an act to incorporate a Company by the name of the Proprietors of Piscataquog Lock and Canal ; which passed two readings, and was referred to the standing committee on corporations, to report thereon.

Mr. Livermore, for the committee to whom was referred the bill from the House of Representatives, entitled an act creating the office and providing for the appointment of Corn and Grain Measurers in the town of Portsmouth, reported the same without amendment ; which report was accepted, and the bill having passed two readings, was ordered to be read a third time to-morrow morning at ten o'clock.

Mr. Hill submitted the following resolution.

Resolved, &c. &c. That the sum of one thousand dollars of any money in the Treasury of this State be, and the same is hereby appropriated for the purpose of educating deaf and dumb children belonging to this State, at the Asylum in Hartford, Connecticut ; which sum may be divided and applied for the benefit of such persons, and in such manner as His Excellency the Governor shall think proper. And the Governor is hereby authorized by warrant on the Treasurer, to draw said sum from the Treasury, which was read, and at his request laid on the table.

Adjourned.

SATURDAY MORNING, JUNE 29, 1822.

Met according to adjournment.

A message was received from the House of Representatives by Mr. Evans, communicating a bill for the concurrence of the Senate, entitled an act in further addition to an act, entitled an act, for forming, arranging and regulating the militia.

The following resolves of the House of Representatives, viz.

A resolve of the House of Representatives, allowing George Hough, three dollars in full of his account, for publishing a resolve of the Senate, rela-

tive to the contemplated new County, at the request of the Clerk of the Senate : and

A resolve of the House of Representatives, allowing Samuel Sparhawk, two hundred and thirty-four dollars and fifty-three cents, in full of his account for paying Messrs. Hill & Moore for stationary, statutes, blank records, printing, &c. and for postage of letters and other expenses incurred in the Secretary's office.

A resolve of the House of Representatives, that Hill & Moore be allowed two hundred and eleven dollars and fifty-seven cents, in full of their account for printing and stationary, &c. ; were read, and together with the accounts and vouchers, referred to the committee on claims and accounts.

A message was received from the House of Representatives by their Assistant Clerk, informing that the House had agreed to, and concurred in the amendment of the Senate, to the bill, entitled *an act defining the jurisdiction, powers, and duties of a Judge of Probate*, and the duties, exemptions, and liabilities of executors, administrations and guardians, in certain cases.

And that the House had also concurred in the amendments of the Senate to the bill, entitled "*an act regulating the settlement and distribution of Insolvent Estates.*"

The bill, in further addition to an act, entitled "an act for forming, arranging and regulating the

militia," was read and referred to the committee on the militia.

A resolve of the House of Representatives authorizing the Treasurer to borrow fourteen thousand dollars for the use of the State, and at a rate per cent not exceeding usual bank interest; and authorizing the Treasurer to appropriate so much of the State Tax, payable into the Treasury, on or before the first day of December next, as will be sufficient to pay said loan and interest; was read, passed, and

Presented.

Adjourned to Monday next, nine o'clock, A. M.

MONDAY, JULY 1, 1822.

Met according to adjournment.

A message was received from the House of Representatives by Mr. Ingalls, communicating for concurrence a bill, entitled an act to establish the rate at which bank shares shall be valued in making and assessing direct taxes. Also, a bill, entitled an act, to repeal the last section of an act, entitled an act to establish a literary fund to be collected from the several banking corporations within this State, which were, on motion of Mr. Hill, referred to a committee of the whole Senate, and made the order of the day for this day.

Mr. Lord, for the committee to whom was referred the bill, entitled an act to incorporate a Compa-

ny, by the name of the Proprietors of Piscataquog Lock and Canal ; reported the same without amendment ; which report was accepted ; and the bill having passed two readings, was ordered to a third reading at three o'clock this afternoon.

A message was received from the House of Representatives by Mr. Storey, communicating for the concurrence of the Senate, the following bills, viz.

An act to incorporate a Company, by the name of the Souhegan Woollen Factory.

An act making provision for the sale on execution, of all rights in equity of redeeming Real Estate mortgaged ; and the said bills having passed two readings, were referred to the committee on the judiciary, to report thereon.

Mr. Livermore, for the committee to whom the petition of Diarca Allen, and the other Representatives of the towns in the County of Grafton, in the General Court, praying that an address may be passed for the removal of Honorable Edward Evans, from the office of Judge of Probate for the County of Grafton, and also from that of Notary Public, was referred—Reported,

That the petitioners had represented in effect, that the Honorable Edward Evans, Judge of Probate for the County of Grafton, and a Notary Public ; is incompetent to the discharge of his official duties, not only on account of extreme poverty, and ignorance, but through great mental imbecility ; and pray that he may be removed from office.

The committee further report, that they have proceeded to consider the subject submitted to them ; have heard the petitioners thereon, and have examined sundry witnesses by them adduced, and find all that is alleged of the said Evans, substantially true.

Wherefore the said committee recommend the following resolution.

Resolved, That a joint committee of the Senate and House of Representatives, be appointed to prepare and report an address to the Governor, for the removal of the Honorable Edward Evans, from the office of Judge of Probate, for the County of Grafton, and from that of Notary Public.

A message was communicated from the House of Representatives by the Assistant Clerk, informing that the House had concurred in the amendments of the Senate to the bill, entitled an act to incorporate the Directors of the Noyes School, in Andover.

A message was received from the House of Representatives by Mr. Brown, communicating the following bills for the concurrence of the Senate, viz.

An act to incorporate a Music Society in the town of Hampstead.

An act to incorporate the first Congregational Church in Nelson.

An act to create a Corporation, by the name of

the Grafton Woollen and Cotton Factory ; which were severally read twice, and referred to the standing committee on corporations.

A message was received from the House of Representatives by Mr. Smith, communicating the following bills for the concurrence of the Senate, viz.

An act to change the names of sundry persons therein named.

An act for the preservation of the fish in the waters of the ponds, in the town of Pelham.

The committee to whom the petition of Thomas F. Odell and others, praying for liberty to establish a bank in Conway, was referred, reported a bill, entitled an act to incorporate sundry persons by the name of the President, Directors and Company of the Agricultural Bank ; which, on motion of Mr. Livermore, was referred to the committee of the whole Senate, and made the order of the day for this day.

A message was received from the House of Representatives by Mr. Thomas, communicating for the concurrence of the Senate, the following bills, viz.

An act in addition to an act, entitled an act requiring certain persons to account to the Adjutant-General, and vesting certain powers in that officer.

An act to incorporate sundry persons by the name of the President, Directors and Company of the Farmers' Bank.

An act to incorporate certain persons by the name of Bow Social Library.

Mr. Hoit, for the committee to whom was referred the bill, entitled an act, in addition to an act for forming, arranging, and regulating the militia, reported the same with the following amendment. In section 6th, 3d line, to erase the words " Captain or Subaltern," which amendment was agreed to, and the bill ordered to a third reading at three o'clock this afternoon.

A message was received from the House of Representatives by Mr. Russell, who communicated the following bills for the concurrence of the Senate, viz.

A bill, entitled an act, to amend an act to incorporate certain persons by the name of the New-Hampshire Cotton and Woollen Factory.

A bill, entitled an act, in addition to an act to restore certain estates to their original connection with the town of Piermont, passed July 1st, 1819; which were severally read twice, and referred to the committee on corporations, to report thereon.

A bill from the House of Representatives, entitled an act to change the names of sundry persons therein named, was read twice, and ordered to a third reading, at three o'clock this afternoon.

The bill, entitled an act for the preservation of the fish in the waters of the ponds, in the town of Pelham, passed two readings, and was referred to the committee on the judiciary.

A message was received from the House of Representatives by the Assistant Clerk, informing that the House had concurred in the amendment of the Senate to the bill, entitled an act to establish a line between the two companies of militia, in the town of Wakefield.

A vote of the House, that Messrs. Appleton, Woodman of Sanbornton, and Crosby, with such as the Senate might join, be a committee to report what compensation shall be made to the Reverend Thomas Beede, for his services as Chaplain to the Legislature during the present session, was brought up, concurred, and Mr. Huntington appointed on the part of the Senate.

The bill, in addition to an act, entitled an act requiring certain persons to account to the Adjutant-General, and vesting certain powers in that officer, passed two readings, and was referred to the committee on the militia.

A bill, entitled an act to incorporate sundry persons by the name of the President, Directors and Company of the Farmers' Bank : and

A bill, entitled an act to incorporate certain persons by the name of Bow Social Library ; passed two readings, and were severally referred to the committee on corporations.

A resolve of the House of Representatives that His Excellency the Governor be authorized and requested to appoint one or more suitable persons to examine into the state of the arms and ordnance of this State, and make report thereof to him the next

session of the Legislature, was brought up, read and referred to the standing committee on the militia.

A resolve of the House of Representatives, that John Perley be allowed thirteen dollars and eighty cents, in full for his travel and attendance in the case of Edward Evans, Judge of Probate, was brought up, read and referred to the standing committee on claims and accounts to report thereon.

Adjourned.

MONDAY AFTERNOON.

Met according to adjournment.

A message was received from the House of Representatives by the Assistant Clerk, informing that the House had concurred in the amendments proposed by the Senate to the bill, entitled an act, in addition to an act, entitled an act to authorize the Superior Court to empower guardians to sell the Real Estate of their wards, passed December 24, 1795. Also, that the House had concurred in the amendment of the Senate to the bill, entitled an act to incorporate the town of Hookset ; and had amended the amendment of the Senate, by striking out the word *ninth*, in the sixth line, and inserting the word *eleventh*, which he presented for concurrence ; and the same having been agreed to in the Senate, the bill as amended, passed to be enacted, and was

Presented.

Mr. Livermore, for the committee to whom was referred the bill, for the preservation of fish in the waters of the ponds, in the town of Pelham, reported the same without amendment, which bill was read and ordered to a third reading to-morrow morning at ten o'clock.

The bill, entitled an act, in further addition to an act, entitled an act for the forming, arranging and regulating the militia, was read a third time, and enacted, with an amendment, viz. to strike out the words Captains or Subalterns, in the third line of the sixth section ; and was sent down for concurrence in the amendment.

The bill, entitled an act to incorporate a Company, by the name of the Proprietors of the Piscataquog Lock and Canal, was read a third time and enacted.

The Senate went into committee of the whole, Mr. Hoit in the chair, on the resolution for the appointment of a joint committee of the Senate and House of Representatives to report an address for the removal of Edward Evans, from the offices of Judge of Probate and Notary Public ; and having had the same under consideration, the committee rose, and reported the resolve without amendment ; when Mr. Wallace moved the indefinite postponement of said resolve ; which motion did not prevail. And on the question, shall this resolution pass ? the yeas and nays were required by Mr. Livermore.

Those who voted in the affirmative, are

Messrs. Kimball,
Hill,
Eastman,
Hoit,
Harvey,
Lord,
Bingham, and
Huntington.

Those in the negative,

Messrs. Boardman,
Buzzell,
Wallace,
Livermore.

Yeas 8. Nays 4.

So the motion prevailed ; and Messrs. Hill and Livermore, were appointed the committee on the part of the Senate.

A communication from His Excellency the Governor, with the accompanying documents in relation to the claims of this State against the United States, and resolves of the House of Representatives providing for proving and supporting said claims, was brought up, and referred to the standing committee on claims and accounts, to report thereon.

A message was received from the House of Representatives by Mr. Wallace of Weare, communicating for the concurrence of the Senate a bill, entitled an act to disannex the farm of Nathaniel Carl-

ton, of Bartlett, and annex it to the town of Adams ; which was read twice, and ordered to a third reading, at ten o'clock to-morrow morning.

A message was received from the House of Representatives by Mr. Roberts, communicating for the concurrence of the Senate a bill, entitled an act, in addition to an act, entitled an act to incorporate sundry persons by the name of the Proprietors of New-Castle Bridge, passed June 1821 ; which bill was read twice, and referred to the standing committee on corporations, to report thereon.

Mr. Lord, for the standing committee on corporations, to whom was referred the bill, entitled an act to create a corporation by the name of the Grafton Woollen and Cotton Factory Company ; also the bill to incorporate a Music Society in the town of Hampstead ; and the bill to incorporate a Company by the name of the Souhegan Woollen Factory ; and the bill to incorporate certain persons by the name of Bow Social Library Society, reported the same without amendment ; which bills were respectively read, and ordered to a third reading, at ten o'clock to-morrow morning.

Mr. Lord, for the same committee, to whom were referred the following bills, viz.

An act to incorporate the First Congregational Church in Nelson :

An act, to amend an act, entitled an act to incorporate certain persons by the name of the New-

Hampshire Cotton and Woollen Factory, at Hillsborough; and

An act to incorporate sundry persons by the name of the President, Directors and Company of the Farmers' Bank, reported the same without amendment.

A message was received from the House of Representatives, by the Assistant Clerk, informing that the House concurred in the passage of the bill, entitled an act, in addition to an act to authorize the Superior Court to empower guardians to sell real estate of their wards, passed December 24, 1795, with the following amendments, viz.—Strike out the title of the bill, and insert "*An act in addition to an act empowering the several judges of Probate to license executors, administrators and guardians, to sell Real Estate in certain cases, and for perpetuating the evidence of such sales.*" And in the first section and fourth line, strike out the words "*Superior Court,*" and insert the words "*Judge of Probate of any County in this State.*" And after the word "*addition*" in the 6th line, strike out all the words to the word "*the*" in the tenth line.

Mr. Livermore, for the committee to whom was referred the bill, entitled an act making provision for the sale on execution, of all rights in equity of redeeming Real Estate mortgaged,* reported the same without amendment.

The bill, entitled an act to change the names of

sundry persons therein named, was read a third time and enacted.

The bill, entitled an act extending the powers of the Justices of the Superior Court of Judicature, in certain cases, was read, and ordered to a third reading, to-morrow morning at ten o'clock.

The Senate resumed the consideration of the bill, entitled an act authorizing the Superior Court of Judicature to appoint auditors in certain cases; which bill having been read, motion was made that the same be postponed to the next session of the Legislature; which motion prevailed.

A message was received from the House of Representatives, by the Assistant Clerk, giving information that the House refused to concur in the passage of the resolve of the Senate appropriating the sum of eight hundred dollars, for the promotion of the interests of Agriculture and Domestic Manufactures.

A message was received from the House of Representatives, by Mr. Jones, communicating for the concurrence of the Senate a bill, entitled an act for raising thirty thousand dollars for the use of this State; Also, a bill, entitled an act to change the place of holding the February term of the Superior Court of Judicature, and the January term of the Court of Sessions, in the County of Rockingham; which bills were severally read twice; and referred to a committee of the whole Senate, and made the order of the day for to-morrow.

Mr. Wallace, for the standing committee on claims and accounts, to whom were referred the resolve allowing John Perley thirteen dollars and eighty cents, reported the same without amendment; and the resolve was then read and concurred.

Mr. Wallace, for the same committee, to whom was referred the resolve of the House authorizing and requesting the Governor to appoint one of the Representatives of this State, in the Congress of the United States, an agent to adjust (during the next session thereof) the claims of this State against the United States, and to receive a reasonable compensation therefor, reported the same without amendment.

Mr. Hoit, for the standing committee on the militia, to whom were referred a resolution of the House, that the Governor be authorized and requested to appoint one or more suitable persons to examine into the state of the arms and ordnance belonging to the State; And a bill, entitled an act, in addition to an act requiring certain persons to account to the Adjutant-General, and vesting certain powers in that officer; reported the same without amendment.

Adjourned.

TUESDAY MORNING, JULY 2, 1822.

Met according to adjournment.

Mr. Lord, for the committee to whom were referred the bill, in addition to an act, entitled an act to restore certain estates to their original connection with the town of Piermont, passed July first, one thousand eight hundred and nineteen ; and the bill, in addition to an act, entitled an act to incorporate sundry persons by the name of the Proprietors of New-Castle Bridge, passed June 1821 ; reported the same without amendment.

The bill, entitled an act to create a Corporation, by the name of the Grafton Woollen and Cotton Factory Company, was again read, and on motion of Mr. Livermore, amended by striking out the word *Grafton*, in the body and title of the bill, and inserting the word *Wentworth* ; and the bill as amended, was read a third time, passed, and sent down for concurrence in said amendments.

The bills, entitled an act to incorporate the First Congregational Church in Nelson ; and

An act to incorporate sundry persons by the name of the President, Directors and Company of the Farmers' Bank ; and

An act to amend an act, entitled an act to incorporate certain persons by the name of the New-Hampshire Cotton and Woollen Factory, at Hillsborough ; were severally read a second time, and

ordered to a third reading at three o'clock this afternoon.

A message was received from the House of Representatives by Mr. Cofran, communicating for concurrence a bill, entitled an act to incorporate the inhabitants of a tract of land, in the County of Coos, in said State, known by the name of Paulsburgh, with town privileges ; which bill was read twice, and referred to the standing committee on corporations to report thereon.

A message was received from the House of Representatives by the Assistant Clerk, informing that the House concurred in the amendments proposed by the Senate to the bill, creating, as amended, a Corporation, by the name of the Wentworth Woollen and Cotton Factory ; and he presented an engrossed bill embracing those amendments.

Mr. Livermore, for the joint committee appointed to report an address for the removal of Edward Evans, from the offices of Judge of Probate, for the County of Grafton, and of Notary Public, reported the following address.

*To His Excellency Samuel Bell, Governor of the
State of New-Hampshire.*

The Senate and House of Representatives, having instituted inquiries into the conduct of Edward Evans, Judge of Probate for the County of Grafton, and being satisfied that the public good requires that the said Evans should no longer hold the office

of Judge of Probate for said County ; respectfully address and request your Excellency, with consent of Council, to remove the said Edward Evans, from the said office of Judge of Probate, for said County of Grafton ; and also, to remove the said Edward Evans, from the office of Notary Public, which he now holds.

And the Senate having taken the same into consideration, Mr. Hill proposed the following amendment ; to strike out the words, "*having instituted inquiries into the conduct of Edward Evans, Judge of Probate for the County of Grafton, and*" also the words, "*the said Evans ;*" and insert "*Edward Evans, Judge of Probate for the County of Grafton ;*" and after the word County, "*or that of Notary Public*"—so that it should read,

The Senate and House of Representatives being satisfied that the public good requires that Edward Evans, Judge of Probate for the County of Grafton, should no longer hold the office of Judge of Probate for said County, or that of Notary Public, respectfully address and request your Excellency, &c. &c. ; which was agreed to.

And on the question, shall this address as amended be passed and engrossed ? the yeas and nays were required by Mr. Wallace.

When those who voted in the affirmative, are

Messrs. Kimball,
Hill,

Messrs. Eastman,
Hoit,
Harvey,
Lord,
Bingham, and
Huntington.

Those in the negative,

Messrs. Boardman,
Buzzell,
Wallace, and
Livermore.

Yeas 8. Nays 4.

So the address was passed, and sent down for concurrence.

And the petition praying for the removal aforesaid, was ordered to be entered on the Journal, and follows.

To the Honorable Senate and House of Representatives in General Court convened, June 1822.

The undersigned represent that they are members of the Legislature from the County of Grafton, and that such is the incapacity, the imbecility of mind, the want of knowledge of his official duties in the Judge of Probate of Wills, &c. for said County, that the public good requires that he should be removed by address from his said office.—They would further state, that he is very much embarrassed in his circumstances, is greatly harrassed with suits: that executions are against him, on which it is pro-

bable he will have to be committed ; and that there is in said County a very great and general want of confidence in the Judge.—They therefore pray that an address may be passed, removing him from his said office of Judge of Probate, and from the office of Notary, which he now holds.

Diarca Allen,
Nathaniel Lambert,
Abraham Thomas,
William Caldwell,
James Poole,
Richard Jenness,
John Jones,
Nathaniel Rix, Jr.
Caleb Keith,
Moses Baker,
Samuel Webster,
Humphry Webster,
Elijah Miller,
Thomas Vincent, Jr.
David Aldrich, 2d.
Daniel Bartlett,
Ebenezer Gregg,
Walter Sleeper,
Simon Oaks.

And the Honorable Mr. Wallace at the same time, claimed his constitutional right to have this dissent, and his reasons against the address, entered on the Journal.

I protest against the passage of this address—
Because the said Edward Evans has not been no-

tified, or had an opportunity of rebutting the charges against him, in the petition of Diarca Allen and others.

Because I believe that the said Edward Evans does *not* in fact labour under “ great imbecility of mind.”

Because the possession of property does not add to, or the want of it diminish the capacity of a Judge, to the faithful discharge of his official duties.

Because it is subversive of the first principles of liberty, and individual rights, as guaranteed by the fourteenth, fifteenth, and twentieth articles of the Bill of Rights.

Because it is establishing a precedent that tends to destroy the independence of the judiciary ; a department so essential to the security of the life, liberty, and property of every citizen, that it ought to be kept separate, independent, and free from the arbitrary control of the other departments of this government.

And because undue and extraneous influence was used, to coerce the decision of the Senate, in this case.

JOHN WALLACE, jun.

On motion of Mr. Livermore,

Voted, that a joint committee be appointed to present the address for the removal of the Honorable Edward Evans, from the office of Judge of Pro-

bate for the County of Grafton, &c. to His Excellency the Governor, and Messrs. Livermore and Hill, were appointed on the part of the Senate.

Mr. Lord, for the standing committee to whom was referred the bill to incorporate sundry persons by the name of the Agricultural Bank, reported the same without amendment, which bill was read, and referred to a committee of the whole Senate, and made the order of the day for this day.

A resolve of the House of Representatives, that all articles hereafter purchased by the Quarter-Master General, for the use of the militia, be kept at Concord, for distribution ; was brought up, read, and referred to the standing committee on the militia to report thereon.

A resolve of the House of Representatives, allowing William Pickering, forty-nine dollars and forty-three cents, in full of his account : and

A resolve of the House of Representatives, allowing John Johnson, ninety-six dollars and fifty-nine cents, in full of his account, were brought up, read, and respectively referred to the standing committee on claims to report thereon.

The bill, entitled an act, in addition to an act, entitled an act to authorize the Superior Court to empower guardians to sell the Real Estate of their wards, passed December 24, 1795, was taken up, and the amendments proposed by the House adopted ; when the bill, with the following title as amend-

ed, viz. An act, in addition to an act, entitled an act empowering the several Judges of Probate, to license executors, administrators and guardians, to sell Real Estate in certain cases, and for perpetuating the evidence of such sales, was enacted.

The Senate resumed the consideration of the bill, entitled an act creating the office, and providing for the appointment of Corn and Grain Measurers, in the town of Portsmouth, and the bill was read a third time and enacted.

The bill, entitled an act to disannex the farm of Nathaniel Carlton of Bartlett, from the town of Bartlett, and annex it to the town of Adams, was read a third time and enacted.

The bill, entitled an act extending the powers of the Justices of the Superior Court of Judicature, in certain cases, was read a third time and enacted.

On motion,

The Senate went into committee of the whole, Mr. Boardman in the chair, on the bill, entitled an act to repeal the last section of an act, entitled an act to establish a literary fund from the several banking corporations within this State; and having had the same under consideration, the committee rose and reported the bill without amendment. The bill was then ordered to a third reading, at three o'clock this afternoon.

On motion of Mr. Hill,

The Senate went into committee of the whole, Mr. Huntington in the chair, on the bill, entitled an

act to establish the rate at which bank shares shall be valued in making and assessing direct taxes, and having had the same under consideration, the committee rose and reported the bill without amendment ; which report was accepted, and the bill ordered to a third reading, at three o'clock this afternoon.

The Senate went into committee of the whole, Mr. Eastman in the chair, on the bill, entitled an act to incorporate sundry persons by the name of the Agricultural Bank, and having had the same under consideration, the committee rose and reported the bill without amendment ; which report was accepted, and the bill ordered to a third reading, at three o'clock this afternoon.

Adjourned.

TUESDAY AFTERNOON.

Met according to adjournment.

A message was received from the House of Representatives, by Mr. Alexander, communicating for concurrence a bill, entitled an act to establish the times and places of holding the Probate Court, in the County of Cheshire.

A resolve of the House of Representatives, allowing Charles Flanders, one dollar and seventy-seven cents, in full of his account : and

A resolve allowing George Hough, one hundred

and twenty-one dollars and fifty cents, in full of his account, were brought up, read, and referred to the standing committee on claims and accounts to report thereon.

The Senate went into committee of the whole, Mr. Lord in the chair, on the bill, entitled an act to raise thirty thousand dollars, for the use of the State, and having had the same under consideration, the committee rose and reported the bill with amendments, which report was accepted, and the bill amended as follows, passed a third reading, and was sent to the House for concurrence in the amendments, viz. In the 1st section, strike out the word "*Wednesday*" in the sixth line, and strike out *June* in the 7th line, and insert *January*.

And that the following new section be added to said bill.

SECTION 2. *And be it further enacted*, That the sum of five hundred and fifty dollars be, and the same is hereby appropriated for the interests of Agriculture and Domestic Manufactures, to be paid to the order of the County Societies, for said purpose, in manner following, namely. To the Society in each County, except Coos, one hundred dollars; and to the Society in said County of Coos, fifty dollars; provided the Society in each County, shall first appropriate a sum of double the amount hereby granted for the same purpose; the whole to be expended in premiums at the discretion of the several County Societies.

And amend the title by adding the following words. And for appropriating a sum for the interests of Agriculture and Domestic Manufactures.

Mr. Livermore, for the joint committee appointed to present to His Excellency the Governor, an address for the removal of Edward Evans, from the offices of Judge of Probate and Notary Public, reported that the committee had performed the duty assigned.

On motion of Mr. Hill,

The Senate went into committee of the whole, Mr. Bingham in the chair, on the bill, to change the place of holding the February term of the Superior Court, and the January term of the Court of Sessions, within the County of Rockingham, and having had the same under consideration, the committee rose and reported the bill without amendment.

Mr. Boardman, then moved that the consideration of said bill be postponed to the next session of the General Court, which motion did not prevail. And on the question, shall this bill pass to be enacted? the yeas and nays were required by Mr. Boardman.

When those who voted in the affirmative, are

Messrs. Buzzell,

Hill,

Eastman,

Hoit,

Messrs. Wallace,
Lord,
Bingham, and
Huntington.

And those in the negative,

Messrs. Boardman,
Kimball,
Harvey, and
Livermore.

Yeas 8. Nays 4.

So the bill passed to be enacted.

The bill, entitled an act to establish the times and places of holding the Probate Court in the County of Cheshire, was read twice and referred to the Senators from the County of Cheshire, to report thereon.

Mr. Wallace, for the standing committee on claims, to whom were referred the resolve allowing John Johnson, ninety-six dollars, in full of his account : and

A resolve allowing William Pickering, forty-nine dollars and forty-three cents, in full of his account, reported the same without amendment, which resolves were severally read and concurred.

Mr. Hoit, for the standing committee on the militia, to whom was referred a resolve providing that all articles hereafter purchased by the Quarter-Master General, for the use of the militia, be kept

at Concord, for distribution; reported the same without amendment, which resolve was read and concurred.

Mr. Bingham, for the committee to whom was referred the bill to establish the times and places of holding the Probate Court in the County of Cheshire, reported that the same be indefinitely postponed, which report was accepted. And on motion, the further consideration of said bill was indefinitely postponed.

The bill, entitled an act to incorporate sundry persons by the name of the President, Directors and Company of the Farmers' Bank, was read a third time and enacted.

The resolve, appropriating the sum of one thousand dollars for the purpose of educating deaf and dumb children belonging to this State, at the Asylum in Hartford, Connecticut, was read and concurred.

A resolve of the House of Representatives, allowing the Hon. John Harris, Hon. Charles H. Atherton, and James Bartlett, Esq. one hundred and fifty dollars in full for revising and drafting the Probate Laws, was brought up, read, and referred to Messrs. Livermore, Lord and Boardman, to report thereon.

Mr. Wallace, for the standing committee on claims and accounts, to whom were referred the resolve allowing Charles Flanders one dollar and seventy-seven cents; and the resolve allowing George

Hough, one hundred and twenty-one dollars and fifty cents, in full of their accounts ; reported the same without amendment, and said resolves were respectively read and concurred.

A message was received from the House of Representatives, by the Assistant Clerk, communicating information, that the House did not concur in the amendments of the Senate to the bill, " for raising thirty thousand dollars for the use of the State," and the Senate having taken the same into consideration, Voted, to adhere to the aforesaid amendments.

Mr. Livermore, for the committee to whom was referred the resolve allowing Hon. John Harris, Hon. Charles H. Atherton, and James Bartlett, Esquire, one hundred and fifty dollars, reported the same without amendment, which resolve was then read and concurred.

The Senate resumed the consideration of the bill, entitled an act, to repeal the last section of an act, entitled an act to establish a literary fund to be collected from the several banking corporations in this State, which was read a third time and enacted.

An address to His Excellency Samuel Bell, for the removal of James Tappan, from the office of Lieutenant, in the Militia, was brought up, read, and referred to the standing committee on the militia to report thereon.

Mr. Lord, for the committee to whom was referred the bill, entitled an act to incorporate the inhabitants of a tract of land, in the County of Coos, in said State, known by the name of Paulsburgh, with town privileges, reported a resolve that said bill be postponed to the first Wednesday in June next, which resolve was passed, and the bill postponed accordingly.

A resolve of the House of Representatives, that the Adjutant-General be directed to procure at the expense of the State, seven hundred printed copies of the militia laws, passed at the present session, and that he be directed to distribute them in the following manner, to wit : One copy to each of the field-officers of each Regiment ; one to the Adjutant, and Quarter-Master of each Regiment; and one copy to each Captain of each company of Cavalry, Artillery, Light Infantry, Grenadiers, and Infantry of Militia in this State, and the remainder in such manner, as he may judge expedient, was brought up, read, and referred to the standing committee on the militia to report thereon.

The following bills, viz.

An act to establish the rate at which bank shares shall be valued in making and assessing direct taxes :

An act, in addition to an act, entitled an act requiring certain persons to account to the Adjutant-General, and vesting certain powers in that officer, approved June 29, 1821 :

An act, to amend an act, entitled an act to incorporate certain persons by the name of the New-Hampshire Cotton and Woollen Factory at Hillsborough :

An act to incorporate the First Congregational Church in Nelson :

An act to incorporate a Company, by the name of the Proprietors of the Souhegan Woollen Factory :

An act to incorporate a Music Society in the town of Hampstead :

An act to incorporate sundry persons by the name of the President, Directors and Company of the Agricultural Bank : and

An act to incorporate certain persons by the name of Bow Social Library Society, were severally read a third time and enacted,

Mr. Hoit, for the committee to whom were referred the resolve directing the Adjutant-General to procure seven hundred printed copies of the militia laws, passed the present session, and to distribute them for the use of the militia ; and an address for the removal of James Tappan, from the office of Lieutenant, reported the same without amendment,

On motion of Mr. Livermore,

Voted, that the committee appointed to inquire what, or whether any rules for the government of both Houses are necessary, and to report thereon, be discharged.

The Senate resumed the consideration of the bill, entitled an act for the preservation of pickerel in the waters of the ponds in the town of Pelham ; and on motion of Mr. Eastman, to postpone the same indefinitely, the question was determined in the negative ; and on the question, shall this bill pass ? it was also determined in the negative.

On motion of Mr. Livermore,

Voted, that the Senate, when it adjourns, shall adjourn to 8 o'clock to-morrow morning.

Adjourned accordingly.

WEDNESDAY MORNING, JULY 3, 1822.

Met according to adjournment.

Mr. Livermore moved to reconsider the vote of nonconcurrence on the passage of the bill, entitled an act for the preservation of pickerel in the waters of the ponds in the town of Pelham, which motion prevailed. He then moved that said bill pass. On which question, the yeas and nays were required by Mr. Eastman.

When those who voted in the affirmative, are

Messrs. Kimball,

Hill,

Wallace,

Harvey,

Bingham,

Huntington, and

Livermore.

Those in the negative,
Messrs. Boardman,
Buzzell,
Eastman,
Hoit, and
Lord.

Yeas 7. Nays 5.

So the bill passed.

The bill, entitled an act, in addition to an act, entitled an act to restore certain estates to their original connection with the town of Piermont, passed July first, one thousand eight hundred and nineteen, was read a second and third time and enacted.

A vote of the House of Representatives, that Messrs. Keith, Butler of Nottingham, and Russell of Wakefield, with such as the Senate may join, be a committee to contract with some suitable person to take charge of the State-House, for the ensuing year ; and to provide necessary articles suitable for the accommodation of the Legislature at their next session, was brought up, read, and concurred, and Mr. Kimball joined.

A resolve of the House of Representatives, that the Clerk of the Senate, and the Clerk of the House of Representatives, be directed to procure five hundred printed copies of the Journals of the two houses, and deliver the same to the Secretary of State, for distribution ; and that the Secretary be directed to procure five hundred printed copies of all public acts and resolves, passed at the present session of

the Legislature, &c. &c. was brought up, read and referred to Messrs. Bingham, Buzzell and Livermore, to report thereon.

The bill, entitled an act, in addition to an act, entitled an act to incorporate sundry persons by the name of the proprietors of New-Castle Bridge, passed June 1821, was read a third time and enacted.

The Senate resumed the consideration of the bill, entitled an act making provision for the sale on execution of all rights in equity of redeeming Real Estate mortgaged.

On motion of Mr. Hoit,

To strike out the first section of the bill, the yeas and nays were required.

When those who voted in the affirmative, are
Messrs. Buzzell,
Hoit,
Harvey, and
Huntington.

And those in the negative,

Messrs. Boardman,
Kimball,
Hill,
Eastman,
Wallace,
Lord,
Bingham, and
Livermore.

Yeas 4. Nays 8.

So the motion did not prevail.

Mr. Livermore moved to amend the bill, by striking out the word "*hereafter*" in the first section.

On this question, the yeas and nays were required.

Those who voted in the affirmative, are

Messrs. Buzzell,
Bingham, and
Livermore.

Those in the negative,

Messrs. Boardman,
Kimball,
Hill,
Eastman,
Hoit,
Wallace,
Harvey,
Lord, and
Huntington.

Yeas 3. Nays 9.

So the motion did not prevail.

Mr. Hoit then moved, that the further consideration of the bill be postponed to the next session of the Legislature. On which question, the yeas and nays were required.

Those who voted in the affirmative, are

Messrs. Buzzell,
Hoit,
Harvey, and
Huntington.

Those in the negative,

Messrs. Boardman,
Kimball,
Hill,
Eastman,
Wallace,
Lord,
Bingham, and
Livermore.

Yeas 4. Nays 8.

So the motion did not prevail.

On the question, shall this bill pass? It was determined in the affirmative, and the bill passed to be enacted.

The Senate resumed the consideration of the resolve directing the Secretary of this State, to forward to the office of the Secretary at War, at Washington, all the vouchers, &c. necessary to substantiate the account of this State, against the United States; and that His Excellency the Governor be authorized and requested to appoint one of the Members of Congress, an agent on the part of this State, to adjust said claims, &c.—when,

On motion of Mr. Livermore,

That said resolve be amended by striking out the words “one of the Members of Congress,” it was determined in the affirmative, and the resolve returned to the House of Representatives for concurrence in the amendment.

A message was received from the House of Representatives, by the Assistant Clerk, giving information that the House *insist* on their disagreement to the amendment proposed by the Senate to the bill, entitled an act to raise thirty thousand dollars for the use of this State, &c. &c.

On motion of Mr. Livermore,

Resolved, That a committee of two be appointed on the part of the Senate, to confer with such committee as may be appointed on the part of the House of Representatives, and report proper measures to be adopted for the passage of a bill, entitled an act for raising thirty thousand dollars for the use of this State; and Messrs. Livermore, Bingham and Wallace, were appointed.

A resolve of the House of Representatives, that the sum of four hundred dollars be appropriated for the use of the State Prison (together with the sum of sixteen hundred dollars, the unexpended balance of the appropriation made at the last session of the Legislature,) was brought up, read and referred to Messrs. Eastman, Hill and Boardman, to report thereon.

Mr. Bingham, for the committee to whom was referred the resolve providing for the printing and distribution of the Journals and Laws of the present session, reported the same with sundry amendments, as follows: "After the words, "*list of private acts*" erase the words, *similar to the last*," and in-

sert the words, "*to correspond in type, and size and quality of paper with the ;*" and after the words, "*laws of this State*" insert the words, "*printed in 1815 ;*" and strike out the proviso; which amendments were adopted, and the resolve returned to the House of Representatives, for concurrence in said amendments.

A resolve of the House of Representatives, that Major-General Timothy Upham, and Colonel Joshua W. Pierce, be appointed a committee to examine the United States' Cavalry and Artillery discipline, and such works in relation to Cavalry and Artillery discipline, as they think expedient, and recommend a system of Cavalry and Artillery discipline, for this State; and report the same to the Legislature, at the next session, was brought up, read, and referred to the standing committee on the militia, to report thereon.

A resolve of the House of Representatives, allowing Hill & Moore one hundred and forty-three dollars and eighty-four cents, in full of their account: and

A resolve allowing John Farmer six dollars and fifty cents, in full of his account, were brought up, read and referred to the standing committee on claims and accounts to report thereon.

The address of the Senate and House of Representatives, to His Excellency the Governor, for the

removal of James Tappan, from the office of Lieutenant in the militia, was read, passed, and

Presented.

A resolve of the House of Representatives, that the Secretary of the State cause the public laws and resolves, passed at this session of the Legislature, to be published in the several newspapers, was brought up, read, and concurred.

The resolve directing the Adjutant-General to procure and distribute seven hundred printed copies of the militia laws, passed at the present session, was read, and concurred.

The Senate resumed the consideration of the resolve establishing the sum of eight hundred dollars, as the salary of the Attorney-General, from June 1822 to June 1823.

When on motion of Mr. Hill, the resolution was amended, by adding the following words:—which sum shall be in full compensation for all services rendered to the public, in the said office; and the resolve with the amendment passed, and was returned to the House of Representatives, for concurrence therein.

A message was received from the House of Representatives, by the Assistant Clerk, informing that the House had concurred in the amendment proposed by the Senate, to the resolve providing for the appointment of an agent, to adjust the claims of this State against the United States; and he presented

an engrossed resolve, embracing the said amendment, which received the signature of the President.

Mr. Hoit, for the standing committee on the militia, to whom was referred the resolve appointing Major-General Timothy Upham, and Colonel Joshua W. Pierce, a committee to examine the United States' Cavalry and Artillery discipline, &c. reported the same with the following amendment, viz.

Add in the second line, after the name of Upham, the name of "Brigadier-General Edward J. Long," which was adopted, and the resolve passed, and was returned to the House of Representatives, for concurrence in the amendment.

A message was received from the House of Representatives, by the Assistant Clerk, informing that the House had concurred in all the amendments of the Senate to the resolve providing for the printing and distribution of the laws, &c. of the present session, except that for striking out the *proviso*, which is as follows:—Provided the compensation to be given for publishing said laws and journals, shall not exceed that given for publishing the laws and journals of June session 1821; to which the House does not agree.

When on motion of Mr. Livermore, Voted, to recede from the amendment, for striking out the proviso to said resolve; and information thereof was communicated to the House.

The following resolves of the House of Representatives, viz.

A resolve allowing Richard Bartlett seventeen dollars, in full of his account :

A resolve allowing Philip Carrigain one hundred and fifty-six dollars, in full of his account :

A resolve allowing Moses L. Neal two hundred and forty-one dollars, in full of his account :

A resolve allowing Albe Cady nine dollars and fifty cents, in full of his account : and

A resolve allowing John Johnson forty dollars, in full for his services as superintendant of the State-House, from June 1821 to June 1822, were brought up, severally read, and referred to the standing committee on claims and accounts.

Mr. Wallace, for the committee to whom the following resolves were referred, viz.

A resolve allowing John Farmer six dollars and fifty cents, in full of his account :

A resolve allowing Hill & Moore one hundred and forty-three dollars and eighty cents, in full of their account, reported the same without amendment, which report was accepted, and the resolves were severally read and concurred.

Mr. Eastman, for the committee to whom was referred the resolve making an appropriation for the State Prison, reported the same without amendment, and the resolve was then read and concurred.

A resolve requiring the several County Treasurers, to make out and deliver to the Clerks of the Courts of Sessions, in their respective Counties, on or before the first day of June 1823, a statement of their accounts as Treasurers, &c. was brought up, read, and referred to the standing committee on the judiciary to report thereon.

The following message was received from His Excellency the Governor, by Mr. Sparhawk, the Secretary.

To the House of Representatives.

GENTLEMEN,

By a resolve of the Legislature, passed June 28th, A. D. 1821, the sum of one thousand dollars was appropriated for the education of poor Deaf and Dumb children, belonging to this State, at the Asylum in Hartford, in the State of Connecticut, to be divided and applied for the benefit of such persons, and in such manner as the Governor should direct.

In the performance of the duty thus enjoined upon me, I endeavored to obtain correct information of the number, age, health, and mental capacity of the Deaf and Dumb children within the State, and of the ability of their parents to educate them. Enquiries instituted with these views brought to my knowledge about forty of these children, who possessed good mental capacity, and were of a suitable age to receive an education. The parents of more than half of these children, were unable to contri-

bute any thing towards their education ; and the parents of the remainder, although not able to defray the whole expense, were able by themselves or by the aid of their friends, to contribute a part towards the education of their children. I selected nine of these children, and divided the fund, appropriated to this object, amongst them, in the following proportions, viz.

To Edwin J. Mann, of Portsmouth, aged 13 years,	\$100
To Charlotte Lovejoy, of Concord, aged 19 years,	100
To Oliver F. Hastings, of Gilmanton, aged 13 years,	100
To Thomas Brown, of Henniker, aged 17 years,	125
To James H. Whitcomb, of Hancock, aged 15 years,	100
To Eliza Morrison, of Peterborough, aged 20 years,	100
To Elijah Tracey, of Cornish, aged 12 years,	100
To Jacob Tenney, of Groton, aged 16 years,	140
To Willard Carpenter, of Littleton, aged 12 years,	135

\$1000

I took from the parents or friends of the children to whom these sums were paid, bonds with sufficient sureties for the faithful appropriation of the money advanced to the object for which it was given, and have deposited these bonds in the office of the Treasurer. I have been informed by the principal instructor of the Asylum, that the annual expense of each pupil is one hundred and fifty dollars, exclusive of clothing, and that they cannot be expected to derive any material benefit from less than two years instruction.

SAMUEL BELL.

WEDNESDAY AFTERNOON.

Met according to adjournment.

On motion of Mr. Hoit,

Ordered, that the committee to whom was referred the petition of Richard Odell, and others, pray-
for the grant of a tract of land in the town of Adams, be discharged from the further consideration of the same.

And on motion of Mr. Hoit,

Ordered, that the further consideration of said petition be postponed to the next session of the Legislature.

Mr. Livermore, for the committee to whom was referred the resolve requiring the several County Treasurers in this State, to make out and deliver to the Clerks of the Courts of Sessions, in their respective Counties, a statement of their accounts as Treasurers aforesaid, &c. &c. &c. reported the same without amendment, which report was accepted, and the resolve read and concurred.

Mr. Kimball, for the committee appointed by both Houses to contract with some suitable person to take charge of the State-House for the ensuing year, and to provide necessary articles suitable for the accommodation of the Legislature at their next session, reported the following resolve.

Resolved, That John Johnson be, and hereby is appointed to superintend the State-House, lot, and the fences surrounding said lot, until the next June

session of the Legislature ; whose duty it shall be to keep the house clean at all times, to air it as often as necessary, by opening the windows ; to keep all the rooms locked, except the Treasurer's and Secretary's rooms, and the Adjutant-General's office ; to keep open the avenues, and see that no damage is done to any part of said house, yard or fence.

And he is hereby authorized and directed to prosecute, in behalf of the State, any person who may injure said house, yard, or fence, or the trees within said yard ; and to purchase and provide all necessary articles, suitable for the accommodation of the Legislature at the next session ; for all which services he shall be entitled to the sum of forty dollars. And the said resolve was considered, passed, and sent down for concurrence.

A resolve of the House of Representatives allowing Joseph Cofran fifty-two dollars and fifty cents, in full of his account, for attendance on the Governor and Council, was read, and referred to the committee on claims and accounts.

A message was received from the House of Representatives by the Assistant Clerk, informing that the House concur in the amendment proposed by the Senate, to the resolve establishing the salary of the Attorney-General, and he presented an engrossed resolve embracing said amendment.

The resolve, allowing the Reverend Thomas Beede the sum of fifty-eight dollars, for his services as Chaplain to the Legislature for the present session, was read, and concurred.

Mr. Wallace, for the committee to whom was referred the resolve, allowing Moses L. Neal two hundred and forty-one dollars, in full of his account, reported the same with the following amendment, viz. strike out the words "two hundred and forty-one," and insert the words "three hundred and forty-six," which was adopted, and the resolve as amended passed, and was returned to the House for concurrence in the amendment.

The resolve authorizing and requiring the Treasurer, to purchase and receive of the publisher of the reports of the decisions of the Superior Court of this State, two hundred and fifty copies, of each succeeding volume of said reports, to be distributed agreeably to the provisions of the resolve passed June 29th, A. D. 1819, on the same subject, was taken into consideration; when on motion of Mr. Livermore, the same was indefinitely postponed.

Mr. Wallace, for the committee to whom was referred the resolve allowing Philip Carrigain one hundred and fifty-six dollars, in full of his account, reported the same with this amendment, viz. that the words "one hundred and fifty-six dollars" be stricken out, and the words "two hundred and sixteen dollars" be inserted; which amendment was

agreed to, and the resolve as amended, passed, and was returned to the House for concurrence therein.

Mr. Hoit, for the committee to whom was referred the resolve empowering the Adjutant-General to sell the piece of ordnance, with its appurtenances, attached to the Artillery Company of the twenty-third Regiment of New-Hampshire Militia, (which piece has become useless to said Company) and to account to the State for the proceeds thereof, reported the same without amendment, which report was accepted, and the resolve read, and concurred.

Mr. Wallace, for the committee to whom were referred the following resolves, viz.

A resolve allowing Albe Cady nine dollars and fifty cents, in full of his account :

A resolve allowing Thomas E. Sawyer eight dollars and twenty-five cents, in full of his account :

A resolve allowing Richard Bartlett seventeen dollars, in full of his account :

A resolve allowing John Johnson forty dollars ; reported the same without amendment, and the said resolves were severally read, and concurred.

The Senate took into consideration the resolve of the House of Representatives, appropriating two hundred and fifty dollars, for the promotion of the interests of Agriculture, and Domestic Manufactures ; the said sum being granted to enable the Board of Agriculture to defray the necessary expenses in procuring and preparing materials for a

pamphlet, agreeably to the provisions of the act of December 1820, and for publishing the same ; and it was concurred.

A resolve that the Board of Agriculture for this State, cause four copies of the pamphlet about to be published, for the improvement of Agriculture, and Domestic Manufactures, to be sent to the Selectmen of each of the several towns in this State, as soon as may be, after publication, for the use of the inhabitants thereof, was read, and concurred.

Adjourned to 5 o'clock, to-morrow morning.

THURSDAY MORNING, JULY 4, 1822.

Met according to adjournment.

The following resolution was presented by Mr. Hill, considered, passed, and sent down for concurrence.

Resolved, That His Excellency the Governor be, and he hereby is authorized to draw on the Treasurer of this State, for a sum not exceeding five hundred dollars, for the purpose of defraying the contingent expenses of the State, for the year ensuing.

A message was received from the House of Representatives by Mr. Sawyer, the Assistant Clerk, informing that the House had agreed to the amendment of the Senate, to the resolve appointing Major-General Timothy Upham, and Colonel Joshua W. Pierce, a committee to examine the United

States Cavalry and Artillery discipline, and to recommend a system, &c. &c.

The following resolves of the House of Representatives, viz.

A resolve that Moses C. Pilsbury, Warden of the State Prison, have and receive for his services as Warden for the last year, the sum of one hundred and fifty dollars, in addition to his present salary :

A resolve allowing Amos A. Brewster, seven dollars, in full for that sum paid by him for service of petition, order of notice thereon, &c. in the case of Edward Evans, Esq. Judge of Probate, for the County of Grafton :

A resolve allowing Herman H. Green one dollar and twenty cents, in full of his account, were brought up, read, and respectively referred to the committee on claims and accounts.

A message was received from the House of Representatives informing that the House do not concur in the amendment proposed by the Senate to the resolve, allowing Moses L. Neal two hundred and forty-one dollars, in full of his account.

When on motion, Voted, that the Senate recede from its amendment. And the resolve was then concurred without amendment.

The following resolves of the House of Representatives, viz.

A resolve allowing Albe Cady eleven dollars and sixty-nine cents, in full of his account :

A resolve allowing Hill & Moore fourteen dollars, in full of their account :

A resolve allowing Moses L. Neal five dollars, in full of his additional account ; were brought up, and severally read, and referred to the committee on claims and accounts.

A message was received from the House of Representatives by the Assistant Clerk, informing that the House do not agree to the amendment proposed by the Senate, to the resolve allowing Philip Carri-gain one hundred and fifty-six dollars, in full of his account.

When on motion, Voted, that the Senate recede from the said amendment. And the resolve was then concurred without amendment.

Mr. Wallace, for the standing committee to whom was referred the resolve allowing Moses C. Pilsbury, Warden of the State Prison, the sum of one hundred and fifty dollars, in addition to his salary for the last year, reported the same without amendment.

And on the question, shall this resolution pass ? the yeas and nays were required by Mr. Hill.

When those who voted in the affirmative, are

Messrs. Kimball,
Buzzell,
Hill,

Messrs. Harvey,
Eastman,
Bingham,
Huntington.

Those in the negative,

Messrs. Boardman,
Hoit,
Wallace, and
Livermore.

Yeas 7. Nays 4.

So the resolve was concurred.

The following resolves of the House of Representatives, viz.

A resolve allowing James Buswell fifty-two dollars and fifty cents, in full for his services as door-keeper to the Senate :

A resolve allowing John Johnson fifty-two dollars and fifty cents : and

A resolve allowing Edward Philbrick fifty-two dollars and fifty cents, in full for their services as door-keepers to the House of Representatives, were brought up, severally read, and referred to the committee on claims and accounts.

Mr. Wallace, for the committee to whom were referred the following resolves of the House of Representatives, viz.

A resolve allowing Hill & Moore fourteen dollars, in full of their account :

A resolve allowing Moses L. Neal five dollars, in full of his additional account :

A resolve allowing Herman H. Green one dollar and twenty cents, in full of his account :

A resolve allowing Albe Cady eleven dollars and sixty-nine cents, in full of his account :

A resolve allowing John Johnson fifty-two dollars and fifty cents :

A resolve allowing James Buswell fifty-two dollars and fifty cents :

A resolve allowing Edward Philbrick fifty-two dollars and fifty cents ; reported the same without amendment, and the said resolves were respectively read and concurred.

A message was received from the House of Representatives by the Assistant Clerk, informing that the House do not concur in the amendment of the Senate, to the resolve allowing Joseph Cofran fifty-two dollars and fifty cents, in full for his services as door-keeper to the Governor and Council.

When on motion,

The Senate receded from their vote of amendment ; and the resolve passed, as presented by the House.

On motion of Mr. Livermore,

Ordered, that the committee appointed on the part of the Senate, to confer with the committee of the House, on the disagreement of the two Hous-

es, relative to the amendment of the Senate, to the bill, for raising thirty thousand dollars for the use of the State, be discharged.

Voted, that the Senate do recede from their vote of amendment to said bill ; and on motion, the said bill, (as first presented from the House,) passed to be enacted.

A vote of the House of Representatives, that Messrs. Smith, of Claremont, Underwood, Webster, of Bridgewater, Favor, Aiken, of Bedford, Bennet, Fox, Pitman, Prescott, of Kensington, and Philbrick, with such as the Senate may join, be a committee to wait on His Excellency the Governor, and inform him that the business of the present session being finished, the Legislature are ready to be adjourned to the last Wednesday of May next ; to meet at Concord, in the County of Rockingham, on the first Wednesday of June next, was brought up, read, and concurred ; and Messrs. Bingham and Hoit appointed on the part of the Senate.

Mr. Bingham, for the aforesaid committee, reported that the duty assigned them had been attended to, and that His Excellency was pleased to observe that he should immediately make a communication to both branches of the Legislature.

The following was laid on the Clerk's table by Mr. Bingham.

The Senate very cordially express their grateful acknowledgments to the HON. JONATHAN HARVEY, for the judicious, able, and impartial discharge of the arduous duties of President of the Senate, during the present session of the Legislature.

And a vote on this testimony of the thanks and approbation of the Honorable Senate, being called for by the Clerk, it passed unanimously.

Upon which the President made the following reply :

Gentlemen of the Senate,

I should be destitute of sensibility, if I were not deeply affected by the numerous evidences of kindness, which you have bestowed upon me.

From the expression of your approbation, of the manner in which I have discharged the duties devolving on me, I derive a gratification which could only be enjoyed by one, who is conscious of having exerted his best powers to merit it.

The able support, and the numerous acts of friendship which you have rendered me, lay me under the strongest obligations ; and impel me with sentiments of the warmest esteem to reciprocate to you my grateful thanks.

And, gentlemen, permit me to assure you, that the friendships and sympathies which have been formed, while we have been associated together, will afford me the most pleasing recollections.

Be pleased, gentlemen, to accept my best wishes for your personal happiness, and the assurance of my high consideration.

A message from His Excellency the Governor was announced, and Mr. Sparhawk, the Secretary appeared, and communicated the following.

Mr. President,

I am directed by His Excellency the Governor to inform the Honorable Senate, that he has approved of all the bills and resolves, which have been presented for his approbation the present session; and that in compliance with the request of the Legislature, as expressed to him by a respectable committee of both branches, and by virtue of the authority in him vested by the Constitution, he now adjourns the General Court, to the last Wednesday in May next.

His Excellency further directs me to present to the Honorable Members of the Senate, his best wishes for their individual happiness, and a safe return to their families and friends.

And the President declared the Senate adjourned accordingly.

Collated with, and found conformable to the record, by

PHILIP CARRIGAIN, *Clerk.*

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APPENDIX.

LEGISLATIVE DOCUMENTS.

STATEMENT OF THE RETURNS OF THE MILITIA, AND
ITS CONCERNS, FOR 1822.

*Adjutant and Inspector General's Office,
Concord, June 7, 1822.*

His Excellency SAMUEL BELL, Commander in
Chief of the Militia of New-Hampshire.

SIR,

I have the honor of submitting a general abstract of the inspection returns of the Militia of New-Hampshire for the year 1822, with a return of the number of the regimental colors, infantry regulations, &c. in possession of the militia officers and belonging to the State. The regimental returns, as in the last year, have all been made within the time prescribed by law.

In pursuance of an act of the Legislature, passed 29th June, 1821, authorizing and empowering me as Adjutant-General to require all persons who had received from my predecessor in office, any money appropriated for musick money, and had neglected to pay over the same to the captains or

commanding officers of the several companies for whom such money was intended, I have called upon all persons who have received from the state any musick money under the law passed 24th June, 1814, and in relation to this subject, submit the following statement. It appears that from the time the act passed, to the year 1820, the late Adjutant-General paid over to the colonels and commanding officers of the several regiments, for the use of the companies in their respective regiments, the sum of four thousand nine hundred and eleven dollars. Of this sum, 3471 dollars have been accounted for by those officers receiving it, who have lodged in this office such vouchers of its being applied according to law, as, it is presumed, will be satisfactory, being principally the original receipts from the commanding officers of companies ; 196 dollars in cash and notes have been reimbursed as not having been applied to the objects for which it was appropriated, and 1440 dollars is still unaccounted for, so that, after deducting the expenses which have arisen in collecting it, there will remain in my hands in cash and notes, one hundred and sixty-nine dollars and sixty cents. Of the 1440 dollars remaining unaccounted for, it will be extremely difficult to ascertain the amount that has been misapplied and to collect it. Some of the persons receiving it have died, and their estates have been rendered insolvent ; others have neglected to give any account of the disbursement of the money they received ; and against oth-

ers, prosecutions have been commenced which have not yet terminated.

The annual appropriation by law of twelve dollars to each company is more than sufficient for powder and port fire, and the remainder, after deducting the expense of hiring horses on muster days, ought to be applied to the ordinary repairs of the piece and harness. But this is sometimes, if not often, not applied at all, and it seems necessary that some method should be devised to check the evil. If the officers of each artillery company were restricted to a certain number of pounds of powder and port fire, and were required to make repairs on the piece and harness as often as necessary, not at any time exceeding the annual appropriation, and should, on exhibiting their vouchers for the expenditure, be entitled to the amount of expense actually incurred, it is believed the evil would, in a great measure, be removed.

Agreeably to your order of the — 1821, I applied to Robert Neal, jun. Esq. Commissary General, for a piece of ordnance for the use of the 23d regiment, but there being none of a suitable calibre in the arsenal, and no appropriation having been made for the purchase of one, the said regiment is still destitute of a piece of artillery.

It has been reported to this department that in some instances, the gun houses built at the expense of the state have become out of repair, and in con-

sequence thereof, the ordnance and harness are much exposed to the weather.

I am, Sir, most respectfully,

Your obedient servant,

JOSEPH LOW,

Adj. and Ins. Gen. of the Militia of N. H.

The New-Hampshire Militia,

Consists of 3 divisions, divided into 6 brigades and 38 regiments. There are

- 3 major-generals ;
- 3 division inspectors ;
- 6 aids-de-camp ;
- 6 brigadier-generals ;
- 4 brigade-inspectors ;
- 6 brigade quarter-masters ;
- 6 aids ;
- 4 judge advocates.

Field and Staff.

- 38 regiments ;
- 35 colonels ;
- 35 lieutenant colonels ;
- 36 majors ;
- 37 adjutants ;
- 38 quarter-masters ;
- 37 paymasters ;
- 38 surgeons ;
- 32 surgeon's mates ;
- 32 chaplains ;
- 37 sergeant majors ;

- 35 quarter-master sergeants ;
- 37 drum majors ;
- 38 fife majors.

Cavalry.

- 41 companies ;
- 40 captains ;
- 74 lieutenants ;
- 38 cornets ;
- 144 sergeants ;
- 84 corporals ;
- 81 musicians ;
- 1450 privates.

Artillery.

- 38 companies ;
- 35 captains ;
- 74 lieutenants ;
- 141 sergeants ;
- 91 corporals ;
- 99 musicians ;
- 979 privates.

Infantry, Light Infantry and Grenadiers.

- 376 companies ;
- 359 captains ;
- 340 lieutenants ;
- 336 ensigns ;
- 1270 sergeants ;
- 518 corporals ;
- 1043 musicians ;
- 21,124 privates.

APPENDIX.

Riflemen.

8 companies ;
8 captains ;
8 lieutenants ;
8 ensigns ;
30 sergeants ;
18 corporals ;
31 musicians ;
287 privates.

ARMS AND ACCOUTREMENTS.

Cavalry.

1449 swords ;
1446 sword scabbards and belts ;
2905 pistols ;
1638 holsters ;
1499 saddles and bridles ;
1486 mail pillions ;
1375 valises ;
1491 cartridge boxes and belts ;
1468 pairs boots ;
1468 pairs spurs ;
35 trumpets and bugles ;
22 colors.

Artillery.

1137 swords ;
1140 sword scabbards and belts ;
165 knapsacks ;

- 28 brass 4 pounders ;
- 1 iron do. ;
- 8 tumbrels ;
- 39 sponges and rammers ;
- 41 ladles and worms ;
- 65 ammunition boxes ;
- 39 tube boxes ;
- 27 haversacks ;
- 27 lint and port-fire stocks ;
- 40 horns and wires ;
- 50 lead aprons ;
- 7 prolonges,
- 9 bricoles,
- 65 drag ropes ;
- 45 sets horse-harness ;
- 35 trail hand spikes ;
- 53 drums and fifes ;
- 22 colors.

Infantry, &c.

- 16,369 muskets ;
- 15,967 bayonets ;
- 16,104 iron ramrods ;
- 16,019 cartridge boxes and belts ;
- 31,157 spare flints ;
- 15,883 priming wires and brushes ;
- 15,323 knapsacks ;
- 15,414 canteens ;
- 345 drums ;
- 287 fifes.

Riflemen.

83 rifles ;
51 powder horns ;
83 pouches ;
63 knapsacks ;
40 canteens ;
6 drums ;
4 fifes.

Books, &c.

35 regimental colors ;
1123 infantry regulations ;
418 militia laws ;
127 roll books ;
308 orderly books.

*Communication from the Warden of the State Prison,
exhibiting its income and expenditures, for
the past year.*

*To the honorable General Court, at their session
in June, 1822.*

Agreeably to the act providing for the regulation and government of the State Prison, the undersigned Warden submits the following statement of the receipts and profits, expenses and disbursements, and the general concerns of the Prison, for the year ending May 31, 1822.

The receipts of the Institution being derived

chiefly from the labour of convicts, employed in the various branches of business carried on therein, and the disbursements being made in the purchase of provisions and clothing, raw materials, for the pay and subsistence of watchmen and overseers, and for incidental expenses—distinct and particular accounts are kept with the several departments of the Prison, the balances of which are considered as shewing its income and expenditure.

INCOME.

From the Smith's Shop.

Amount of property on hand, consisting of stock and tools, on the 31st of May, 1821	\$469 17
Additional stock since purchased, wages of overseers, repairs and other expenses	1322 83
Making the sum disbursed on account of this department	1792
Received and charged during the last year for articles sold, for custom work, and work done for the other departments	2541 50
Value of stock and tools on hand May 31, 1822	461 22
Making the amount of receipts from this department	3002 72

Exceeding the sum disbursed,
and which may be considered
as profits accruing from the
smith's shop, the sum of ——— 1210 72

Cooper's Shop.

Amount of stock and tools on
hand May 31, 1821 972 22
Stock since purchased, repairs,
&c. 625 94
———— 1598 16

Received and charged for articles
sold 1443 84
Stock and tools on hand, May 31,
1822 1361
———— 2804 84

Exceeding the sum disbursed on
account of this department 1206 68

Stone Shop.

Stock, tools and hammered stone
on hand May 31, 1821 4913 22
Stock since purchased, repairs,
wages, &c. 4276
———— 9189 22

Received and charged for ham-
mered stone the past year 6560 97
Stock and tools on hand May 31,
1822 3728 83
———— 10,289 80

APPENDIX.

199

Exceeding the disbursements for
this department

1100 58

Shoe Shop.

Stock and tools on hand May 31,
1821

57 31

Stock since purchased

769 96

827 27

Received and charged for shoes,
&c.

1107 62

Stock and tools on hand, May
31, 1822

236 81

1344 43

Exceeding the disbursements for
this department

517 16

Received for the labor of convicts
let on contract

261 90

—Weaving

30 18

—Tailor's work

7 42

—Interest

7 88

—of persons visiting the prison

172 65

Total amount of income accru-
ing from the Prison

4515 17

EXPENDITURE.

Provisions on hand May 31, 1821

\$598 34

—purchased during the last year

1208 11

1806 45

Amount on hand May 31, 1822

893 92

Leaving for the amount con-

sumed the last year	337 23
<i>Expenses.</i> Furniture and fuel	
on hand, May 31, 1821	471 53
Amount since paid for wages and	
subsistence of watchmen, sub-	
sistence of overseers, fuel, re-	
pairs, &c.	1899 63
	<hr/>
	2371 16
Deduct furniture and fuel on hand	
May 31, 1822	382 92
	<hr/>
Leaves for net amount of expen-	
ses the last year	1988 24
Hospital department	56 84
Screws on hand 1821, 52,40;	
1822, 29,85—balance	22 55
	<hr/>
	\$3317 44
Total amount of Income	4515 17
" " of Expenditure	3317 44
	<hr/>
Balance gained	\$1197 73

By the Schedule herewith marked B. it appears that the amount of debts due to the institution has increased the last year the sum of \$2545 19. And by the Schedule marked A. it appears that the property on hand has decreased during the same period the sum of \$352 69. To which add the sum drawn from the Treasury, being \$1000, and their

amount (1352 69) deducted from the increased amount of debts, leaves the sum gained of

\$1192 50

From a consideration of the amount of debts due, and the probability that a considerable portion of them will be received in time to meet the exigencies of the Prison, the undersigned is of the opinion that all the disbursements necessary on its account for the ensuing year may be made from the proceeds of the Prison, without further aid from the Treasury. But as accidents may happen, and failures may occur to diminish its income, and as ready money is of the utmost importance in managing the concerns of the Prison to the best advantage—he would respectfully suggest the expediency of appropriating the sum of two thousand dollars to be drawn from the Treasury, in case the Governor and Council, upon a particular examination of the affairs of the Prison, may deem it necessary. Of the last year's appropriation of two thousand six hundred dollars, the sum of one thousand dollars only has been drawn.

MOSES C. PILSBURY, *Warden.*

Concord, June 1, 1822.

SCHEDULE A.

PROPERTY ON HAND.

<i>State Prison.</i>	<i>May 31, 1821.</i>	<i>May 31, 1822.</i>
House Furniture	\$150 75	\$157 34
S 26		

APPENDIX.

Prison do.	\$145 78	\$150 58
Fuel	175	75
Screws	52 40	29 85
Weaver's Shop	25	25
Beds and Bedding	217 50	241
Clothing	189 17	253 12
Shoe Shop	57 31	236 81
Provisions	598 34	893 92
Smith's Shop	469 17	461 22
Stone Shop	4913 22	3728 83
Cooper's Shop	972 72	1361
	<hr/>	<hr/>
	7966 36	7613 67
	7613 67	
	<hr/>	
Decreased amount	\$352 69 from 1821 to 1822.	

SCHEDULE B.

STATEMENT OF DEBTS.

Due to the Institution, May 31, 1821—

On book	- - - -	2858 01
On note	- - - -	1334 38

4192 39

Owing from the Institution,

May 31, 1821,	- - -	1425 28
---------------	-------	---------

Balance in its favor - - - - \$2767 11

APPENDIX.

203

Due May 31, 1822—On book \$4856 92
On note 1418 05

 6274 97

Owing May 31, 1822 . . . 962 67

Balance in its favor \$5312 30

Increased balance in favor of the in-
stitution from 1821 to 1822—

 \$2545 19

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ACTS AND PUBLIC RESOLVES,

PASSED JUNE SESSION, 1822.

—•—

An act to incorporate Enoch G. Parrott, Jacob Cutter, Charles Coffin, Alexander Ladd and Samuel Lord and others into a company by the name of the Portsmouth Insurance Company.

An act in addition to an act entitled an act in addition to an act, authorizing the town of Bartlett to erect and keep in repair a bridge over Saco river, passed December 13, 1816.

An act to incorporate Webb Chapter of Royal Arch Masons No. 6.

An act to incorporate St. Paul's Lodge No. 30.

An act to incorporate a company by the name of the proprietors of the Mason Cotton Factory.

An act in addition to an act entitled an act to incorporate the New-Hampshire Fire and Marine Insurance Company.

An act in addition to an act entitled "an act to incorporate sundry persons by the name of the President, Directors and Company of the Exeter Bank," approved December 19, 1803.

An act to incorporate certain persons by the name of the Milton Social Library.

An act to establish a corporation by the name of the Salmon Falls Manufacturing Company.

An act to incorporate a company by the name of the proprietors of the Souhegan Factory.

An act to divide the second regiment of militia in this State.

An act to confirm and establish the westerly boundary line of the town of Seabrook.

An act in addition to an act entitled an act to incorporate certain persons by the name of the proprietors of the Washington Library, passed June 29, 1821.

An act for incorporating certain persons by the name of the proprietors of the Litchfield Social Library.

An act to incorporate certain persons by the name of the Village Library Society in Gilmanton.

An act to incorporate Hiram Lodge No. 9.

An act to incorporate certain persons by the name of the Canaan Musical Society.

An act to incorporate certain persons by the name of the Union Musical Society in Gilford.

An act to incorporate Warner Lodge No. 35.

An act to incorporate sundry persons by the name of the Exeter Mechanick Association.

An act to incorporate Mount Lebanon Lodge No. 32.

An act altering the name and stile of the Keene Engine Company.

An act to incorporate sundry persons by the name of the President, Directors and Company of the Claremont Bank.

An act to incorporate Mount Vernon Lodge No. 15.

An act in addition to an act entitled an act to authorize towns to make by-laws to prevent horses, mules, jacks, neat cattle, sheep and swine from going at large, passed June 17, 1811.

An act in addition to and in amendment of an act declaring the mode of conveyance by deed, passed the 10th day of February, A. D. 1791.

An act for the descent and distribution of Intestate Estates.

An act for the devising of real estate, the attestation, filing and recording of wills in certain cases, and the distribution of testate estates.

An act regulating the settlement and distribution of Insolvent Estates.

An act empowering the several judges of probate to license executors, administrators and guardians to sell real estate in certain cases, and for perpetuating the evidence of such sales.

An act defining the jurisdiction, powers and duties of a judge of probate, and the duties, exemptions and liabilities of executors, administrators and guardians, in certain cases.

An act regulating suits on bonds given to a judge of probate, and directing the manner in which such bonds may be taken.

An act authorizing and regulating appeals from the decisions of a judge of probate.

An act to repeal certain acts therein mentioned.

An act establishing the law of the road.

An act to create a corporation by the name of the Trustees of Donations, for the support of public worship in Salisbury Village.

An act in further addition to an act entitled "an act for forming, arranging and regulating the militia."

An act to establish a line between the two companies of militia in the town of Wakefield.

An act to incorporate the Directors of the Noyes School in the town of Andover.

An act to incorporate a Musical Society in the town of Amherst.

An act to incorporate a company by the name of the proprietors of the Piscataquog Lock and Canal.

An act to incorporate the town of Hooksett.

An act creating the office and providing for the appointment of corn and grain measurers in the town of Portsmouth.

An act extending the powers of the Justices of the Superior Court of Judicature in certain cases.

An act to change the names of sundry persons therein named.

An act to create a corporation by the name of the Wentworth Woollen and Cotton Factory Company.

An act to incorporate a Musical Society in the town of Hampstead.

An act to incorporate sundry persons by the name of the President, Directors and Company of the Farmers' Bank.

An act to incorporate a company by the name of the proprietors of the Souhegan Woollen Factory.

An act to incorporate certain persons by the name of the Bow Social Library Society.

An act to repeal the last section of an act entitled "an act to establish a literary fund to be collected from the several banking corporations within this State."

An act to disannex the farm of Nathaniel Carlton of Bartlett from the town of Bartlett, and annex it to the town of Adams.

An act in addition to an act entitled an act empowering the several judges of probate to license executors, administrators and guardians to sell real estate in certain cases, and for perpetuating the evidence of such sales.

An act to amend an act entitled an act to incorporate certain persons by the name of the New-Hampshire Cotton and Woollen Factory at Hillsborough.

An act to incorporate the First Congregational Church in Nelson.

An act to change the place of holding the February term of the Superior Court of Judicature and the January term of the Court of Sessions in the County of Rockingham.

An act to incorporate a Musical Society by the name of the Martin Luther Society in Boscawen.

An act in addition to an act entitled an act to incorporate sundry persons by the name of the proprietors of New-Castle Bridge, passed June 1821.

An act making provision for the sale on execution of all rights in equity of redeeming real estate mortgaged.

An act to establish the rate at which bank shares shall be valued in making and assessing direct taxes.

An act for the preservation of pickerel in the waters of the ponds in the town of Pelham.

An act in addition to an act entitled an act requiring certain persons to account to the Adjutant General, and vesting certain powers in that officer, approved June 29, 1821.

An act in addition to an act entitled "an act to restore certain estates to their original connection with the town of Piermont," passed July first, one thousand eight hundred and nineteen.

An act for raising thirty thousand dollars for the use of this State.

RESOLVES OF A PUBLIC NATURE.

A resolve empowering the town of Centre-Harbor, to send a Representative to the General Court.

A resolve appropriating one thousand dollars for the purpose of educating Deaf and Dumb children, at the Asylum, in Hartford, Connecticut, to be ap-

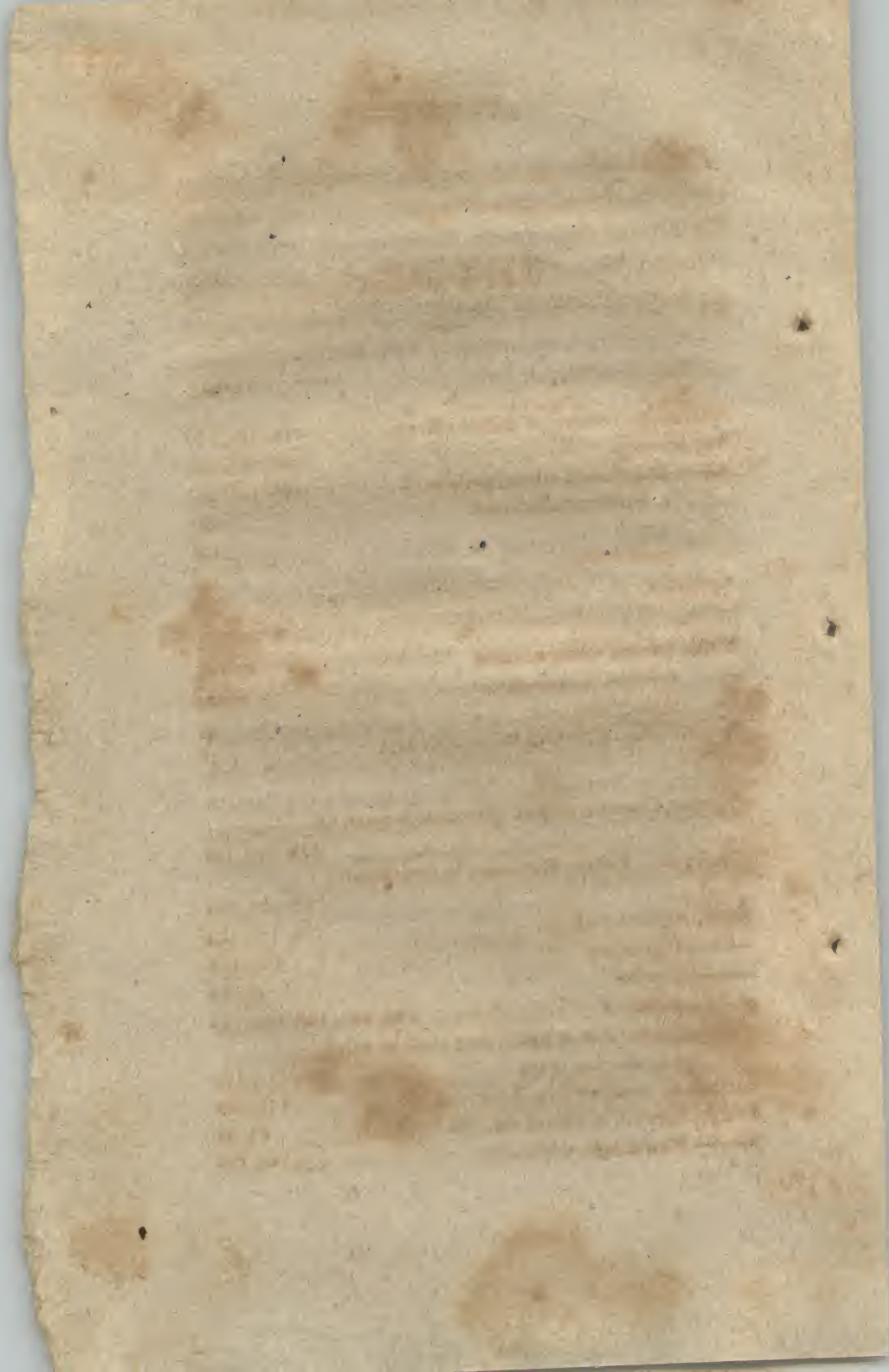
plied for the benefit of such persons as the Governor may deem proper.

A resolve that articles hereafter purchased by the Quarter-Master General, for the use of the militia, be kept at Concord, for distribution.

A resolve appropriating two hundred and fifty dollars, for defraying the expenses of procuring materials for, and publishing a pamphlet agreeably to the provisions of an act, providing for the organization of a Board of Agriculture, for this State, passed December 1820.

A resolve directing the Board of Agriculture to send four copies of the pamphlet about to be published, agreeably to the provisions of the act aforesaid, to the Selectmen of each of the several towns in this State, for the use of the inhabitants thereof.

A resolve requiring the several County Treasurers in this State, to deliver to the Clerks of the Courts of Sessions in their respective Counties, on or before the first day of June 1823, a statement of their accounts as Treasurers aforesaid.



INDEX.

	PAGE,
A.	
Address for removal of militia officers	111, 161, 170
Adjournment	40, 164, 187
Allen, Diarca, and others, petition of	126, 136, 151
referred to committee	131
report	136
protest against	152
Appendix	189
B.	
Banks, returns communicated	70
referred to committee	74
their report	86
Buzzell, Hon. Hezekiah D. took his seat	12
BILLS.	
Adjutant General, certain persons to account to	138, 140, 162
Association, Exeter Mechanic, to incorporate	93, 103, 104
Bank, Agricultural	154, 156, 163
— Claremont	109, 118
— Exeter	61, 69
— Farmers'	128, 140, 143, 148, 160
— shares, rate at which they shall be valued in making taxes	135, 155, 162
Bartlett, to disannex farm from town of	143, 155
Bridge, Bartlett, to extend time for completing	61, 64
— New-Castle, additional	144, 146

	PAGE.
Bye laws, to authorize towns to make respecting	
cattle	109, 113, 120
Church, first Congregational in Nelson	137, 144, 148, 163
Conveyancing by deed, additional	67, 123, 127
Corn and grain measurers, in Portsmouth	132, 155
Engine Company, Keene, to alter name of	118, 120, 127
Estates, Insolvent, to regulate settlement of	
_____	100, 114, 118, 134
_____ Intestate, for descent and distribution	100, 114, 119
_____ Real, for devising	100, 114, 119
_____ mortgaged, to provide for sale of rights	
in equity of redeeming	136, 145, 168
Factory, Cotton, Mason	65, 68, 72
_____ Grafton, Woollen and Cotton	138, 144, 148, 149
_____ New-Hampshire Cotton and Woollen,	
in amendment	139, 148, 163
_____ Souhegan	78, 79, 81
_____ Souhegan Woollen	136, 163
Fees, in add. for regulating and repealing acts	
relative to	107, 121
Fish, in ponds in Pelham, to preserve	138, 142, 163
Fund, Literary, additional	135, 155, 161
Highways and Bridges, in add. to repair	91, 105
Hooksett, to incorporate town of	110, 116, 120
Insurance Company, New-Hampshire Fire and	
Marine	66, 68, 70
_____ Portsmouth	60, 63, 64
Library, Bow Social, to incorporate	139, 140, 144, 163
_____ Litchfield Social	84, 102, 104
_____ Milton Social	66, 68, 71
_____ Village Society, in Gilmanton	94, 103, 104
_____ Washington	92, 94, 103
Lock and Canal Company, Piscataquog	182, 142
Lodge, Hiram, No. 9, to incorporate	94, 103, 104
_____ Mount Lebanon, No. 32	110, 118, 120
_____ Mount Vernon, No. 15	78, 81

	PAGE.
Lodge, St. Paul's, No. 30	65, 68, 78
—— Warner, No. 35	94, 103, 104
Manufacturing Company, Salmon Falls	66, 71, 72, 76
Merrimack, new county of	75, 78, 79, 81
Militia, to divide second Regiment of	89, 93, 99
—— line between two companies of, in Wake-	
field	109, 122, 127, 140
—— in add. to act regulating	61, 64, 72, 133, 139, 142
Musical Society, in Amherst	109, 110, 120
—— Canaan	94, 103, 104
—— Hampstead	137, 144, 163
—— Martin Luther, in Boscawen	95, 103, 104
—— Union, in Gilford	92, 94, 103, 104
Names, alteration of certain	158, 145
Partnerships, limited, to authorize	75, 81, 89, 90
Paulsburg, to incorporate town of	149, 162
Piermont, to annex certain estates to	139, 148, 165
Poor Debtors, for relief of	89, 90, 123
Probate, Court, place of holding in Cheshire	156, 159, 160
—— Judge of, to authorize appeals from	100, 122, 127
—— to authorize to license execu-	
tors, &c.	100, 115, 119
—— to define powers, &c. of	100, 119, 123, 134
—— to regulate suits on bonds	
given to	100, 122, 127
Repeal of certain acts	123, 127
Road, law of, to establish	108, 124, 127
Royal Arch Masons, No. 6, Webb Chapter	65, 68, 70
School, Noyes, in Andover	93, 103, 112, 119, 137
Seabrook, to establish boundary of	92, 94, 103, 104
Selectmen, in add. to ascertain powers of	76
Superior Court, in add. to empower guardians, &c.	
	62, 69, 72, 141, 145, 155
—— to appoint auditors in certain cases	
	93, 121, 146

	PAGE.
Superior Court, extending powers of	109, 121, 146, 153
----- to change place of holding in	
Rockingham	146, 158
Thirty thousand dollars, to raise	146, 157, 161
Town Meetings, oath of moderators of	60, 62, 65
Worship, public, to support in Salisbury	110, 118, 120
C.	
Chaplain, committee to nominate	7
Rev. Mr. Beede	13
notified	16
compensation	178
Committee, to report a system of rules and regulations	6
report made	39
to inform Governor of a quorum	7
on arrangements for election day	8
report	11
to examine returns of votes for Governor	9
report	14
to inform Governor of election of Senator	10
to inform Governor of his re-election	16
to settle with Treasurer	39
report	54
to inform Governor of election of Counsellors	48
report	50
to consider the several subjects of Governor's	
message	40
their report	51
to receive bonds of Secretary and Treasurer	54
report	59
on Agriculture and Manufactures	52
report	123
on management of State Prison	52
on powers of Congress in regard to internal	
improvement	53
on compensation for preaching election sermon	38

INDEX

217

	PAGE.
Committee report	58
on erection of new county	58
report	75
to inform Governor of his election as Senator to	
Congress	77
report	88
to report bill for districting the State	73, 91
report	84, 87, 96
on address for removal of Edward Evans from	
office	96, 98
to report on close of session	96
on compensation of Chaplain	140
to present address to Governor for removal of E.	
Evans	153
report	158
to appoint person to take charge of State House	165
to examine military discipline	170
on appropriating money for State Prison	169
to confer with committee of the House on passage	
of bill to raise money	169
discharged	183
to wait on Governor at close of session	183
Compensation of public officers	
	101, 102, 105, 106, 128, 171, 177
Convention, Commissary General, for election of	106
Counsellors, on returns for	39, 45
Governor, on returns for	13
Secretary, for choice of	52
Senators, for choice of	8
D.	
Deaf and Dumb, resolution in favor of	160
E.	
Election sermon, 100 copies ordered for Senate	40

	PAGE.
G.	
Governor inducted into office	17
M.	
Message from the Governor—	
appointing Rev. J. French to preach election sermon	10
on business of the session	18
communicating bank returns	70
communicating Adjutant and Commissary General's returns	107
communicating report of Warden of State Prison	107
on claims of this State against United States	143
on appropriation of \$1000 for Deaf and Dumb	174
O.	
Odell, Thomas F. petition of	109, 115, 138
R.	
Reply of President Harvey to vote of thanks	186
Report, on unfinished business	53
of committee on Treasurer's account	54
on powers of Congress in regard to internal improvement	82
of committee on erection of new county	75
on returns of banks	80
on address for removal of militia officers	111
on address for removal of Edward Evans	149
of committee for printing Journals and Laws	169
Resolution, referring the several subjects of Governor's message to committee	40
enabling feme coverts of idiots, &c. to transfer real estates	53
authorizing cadets to occupy area under Representatives' hall	64
yard	78

	PAGE.
Resolution, appointing time for election of Senator to Congress	65
granting New-Hampton Academy one of Car-rigain's maps	101
extending time of payment of certain debts due the State	108
granting harness to Artillery company of 29th Regiment	122
authorizing Adjutant-General to dismiss action	126
making appropriation for musical instruments	127
requesting Governor to appoint a person to preach next election sermon	132
for borrowing money	135
appropriating \$1000 for education of Deaf and Dumb children	160
for publishing laws in newspapers	171
directing Adjutant-General to distribute militia laws	171
authorizing Governor to draw \$500 for contingent expenses	180
appointing superintendant of State House	176
providing that articles purchased for militia be kept at Concord	159
empowering Adjutant-General to sell piece of ordnance	179
for promoting Agriculture and Manufactures	179
Resolve in favor of Adjutant General,	128
Atherton Charles H.	161
Badger William	113
Bartlett James	161
Bartlett Richard	179
Beede Thomas	178
Blaisdell Elijah	130
Brewster Amos A.	113
Buswell James	184

	PAGE.
Resolve in favor of Cady Albe	179, 184
Carrigain Philip	178
Cofran Joseph	80
Currier Henry	130
Currier Nathan	130
Currier Richard	130
Dow Moses	130
Eastman Moses	130
Farmer John	173
Flanders Charles	160
Follansbee Abigail	180
French Jonathan	58
Gile Daniel	130
Green Herman H.	184
Harris John	161
Hill & Moore	173, 183
Holt Lemuel	129
Hough George	161
Johnson John	179, 184
Morse James	130
Neal Moses L.	178, 184
Perley John	147
Pettengill Thomas H.	130
Philbrick Edward	184
Pickering William	159
Pierce Benjamin	113
Poland Abner	130
Rice Samuel	130
Sanborn Timothy	129
Sawyer Thomas E.	179
Sleeper David	130
Stickney George	80
Storer Clement	113
Weeks Benjamin H.	124
Weeks John W.	113

INDEX.

221

	PAGE.
Resolve in favor of Williams William jr.	131
Willis James	129
Rules of the Senate	39, 41
S.	
Select committees, on subjects of Governor's message, appointed	52
Selectmen of Centre Harbour, petition of	76, 91, 100
Senator to Congress elected	71
Standing committees appointed	49, 50
State Prison, appropriation for	169, 173
U.	
Unfinished business, report on	53
V:	
Votes, for Governor opened and read	9
for Counsellors opened and read	39
numbers	46
Vote of thanks, to Rev. J. French	15
to President Harvey	186
Y.	
Yeas and Nays, on bill regulating militia	73
on passage of bill for districting the State for choice of Representatives to Congress	73
on passage of the same to third reading	87
on passage of the same to be engrossed	97
on bill constituting new county	80
on bill authorizing limited partnerships	90
on passage of resolution concerning Judge of Pro- bate for Grafton	98
on postponement of bill for repairing highways and bridges	105
on postponement of bill for relief of poor debtors	124
on amendment of bill respecting idle and disorder- ly persons	117

	PAGE.
Yeas and Nays, on passage of resolution relative to encouragement of Agriculture and Manufactures	129
on passage of resolution for appointment of committee to report on removal of Edward Evans from office	143
on address for the above removal	150
on passage of bill to change place of holding Superior Court and Court of Sessions in Rockingham	158
on passage of bill to preserve pickerel in ponds in Pelham	164
on striking out section in bill to provide for sale of rights in equity of redeeming real estate mortgaged	166
on amendment of same bill	167
on postponement of the same	167
on passage of resolve to allow \$150 to Warden of State Prison	182

